

**ZONING COMMITTEE  
AGENDA  
WEDNESDAY, SEPTEMBER 27, 2006**

**A.    ADOPTION OF AGENDA**

**B.    APPROVAL OF MINUTES**

**C.    ZRB SUMMARY REPORT**

**D.    ORDINANCES FOR SECOND READING**

06-O-2046 ( 1)    An Ordinance by Zoning Committee to amend Ordinance U-1093, as adopted by the City Council on July 21, 1980 and approved by the Mayor on July 29, 1980, approving a transfer of ownership for a Special Use Permit for a Day Care Center for property located **2315 Perkerson Road, SW**, and for other purposes.

06-O-1810 ( 2)    An Ordinance by Zoning Committee to rezone from the C-1  
**Z-06-94**            (Districts to the MR-4B (Multi-Family Residential) District, property located at **1580 Flat Shoals Road, SE**, fronting approximately 140 feet on the north side of Flat Shoals Road, beginning approximately 293 feet from the west side of Maynard Terrace.

Depth:            Approximately 615 Feet

Area:             Approximately .093 Acre

Land Lots: 146 and 175, 15<sup>h</sup> District, Dekalb County, Georgia

Owner:           Diane Lawrence

Applicant: James Debro

**NPU-W**

**Council District 5**

**E.    PAPERS HELD IN COMMITTEE**

06-O-0038 ( 1)    An Ordinance by Councilmember Carla Smith to  
**Z-05-56**            amend Various Sections of the Zoning Code of the City of Atlanta, for the purpose of clarifying and/or defining certain terms related to Supportive Housing; to provide how applications for such uses are to be processed; defining the term Community Center and removing certain redundant terms related to such use; redefining the conditions under which dormitories, Sorority Houses and Fraternity Houses are permitted; deleting rooming houses and boarding houses as permitted uses in certain districts; and for other purposes. **(Held 2/1/06 for further review)**

06-O-0022 ( 5)  
**U-05-22**

An Ordinance by Councilmember Carla Smith to issue a Special Use Permit for a Nursing Home at **1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue)**; to waive the 2,000 foot distance requirement for this location; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

### E. PAPERS HELD IN COMMITTEE (CONT'D)

Depth: Varies  
Area: Approximately 1.056 Acres  
Land Lot: 24, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Edwin Duke  
Applicant: David Stewart  
**NPU-W Council District 1**

Depth: Varies  
Area: Approximately 3.5 Acres  
Land Lot: 70, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Portfolio Properties Construction Co., LLC.  
Applicant: Portfolio Properties Construction Co., LLC.  
**NPU-Z Council District 12**

06-O-0944 ( 8)  
**Z-06-56**

An Ordinance by Councilmember Kwanza Hall as **substituted by Zoning Committee** to amend the Zoning Ordinance of the City of Atlanta and the Maps established in connection with the property located at **695 North Avenue** and to waive the provisions of Section 16-27.002(3) of the Zoning Ordinance of the City of Atlanta, entitled "Amendments," solely for the purposes of this ordinance; and for other purposes. **(Held 8/30/06 pending CDP Amendment Hearing on 9/11/06)**

**ZONING COMMITTEE AGENDA**  
**WEDNESDAY, SEPTEMBER 27, 2006**  
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**E.    PAPERS HELD IN COMMITTEE (CONT'D)**

06-O-1074 ( 9)    An Ordinance by Zoning Committee designating the DuPre  
**Z-06-64**           Manufacturing Company Mill (a/k/a Excelsior Mill and the  
                         Masquerade), located at **695 North Avenue, NE**, Land Lot  
                         18, of the 14<sup>th</sup> District of Fulton County, Georgia and certain  
                         real property on which it is located, to the overlay Zoning  
                         Designation of Landmark Building or site pursuant to  
                         Chapter 20 of the Zoning Ordinance of the City of Atlanta  
                         and rezoning from PD-MU (Planned Development-Mixed Use)  
                         to PD-MU/LBS (Planned Development-Mixed Use/Landmark  
                         Building or Site); to repeal conflicting Laws; and for other  
                         purposes. **(Held 8/30/06 pending CDP Amendment  
                         Hearing on 9/11/06)**

**F.    ITEMS NOT ON THE AGENDA**

**G.    ADJOURNMENT**



## **PENDING LEGISLATION FOR ZRB**

- 06-O-0001 ( 1)  
**Z-04-159** An Ordinance by Councilmember Carla Smith to amend the 1982 City of Atlanta Zoning Ordinance, as amended, so as to permit churches, synagogues, temples and other religious worship facilities as permitted principal uses and structures in the PD-MU (Planned Development-Mixed Use) and PD-OC (Planned Development-Office Commercial) Districts.
- 06-O-0003 ( 2)  
**Z-04-155** An Ordinance by Councilmember Carla Smith to rezone property from the I-1 (Light Industrial) District to the RG-5 (Residential General-Sector 5) District, property located at **695 North Avenue, NE**, fronting approximately 160 feet on the south side of North Avenue and fronting approximately 591 feet on the southeasterly side of North Angier Street.  
Depth: Varies  
Area: 1.6 Acres  
Land Lot: 18, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Dean Ripelle  
Applicant: Sierra Contracting  
By: Lawton Jordan, Agent  
**NPU-M Council District 2**
- 06-O-0006 ( 3)  
**Z-04-51** An Ordinance by Councilmember Carla Smith to rezone from the I-1 (Light Industrial) District to the PD-MU (Planned Development-Mixed Use) District, property located at **166 16<sup>th</sup> Street, NW**, fronting 136.90 feet on the south side of 16<sup>th</sup> Street beginning at the southeast corner of Fowler Street.  
Depth: 361 Feet  
Area: 1.307 Acres  
Land Lot: 108, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Madison Midtown, LLC  
Applicant: J. Charles Hendon  
By: Carl E. Westmoreland, Jr., Attorney  
**NPU-E Council District 2**
- 06-O-0015 ( 4)  
**Z-05-83** An Ordinance by Councilmember Carla Smith to rezone from the R-5/HD 20K Subarea #1 (Two Family Residential/Grant Park Historic District-Residential Subarea #1) District to the C-1/HD-20K Subarea #2 (Community Business/Grant Park Historic District-Commercial Subarea #2), property located at **428 Boulevard Street, SE (also known as 360 Boulevard, 614, 620 and 624 Glenwood Street, SE)**, fronting approximately 231.70 feet on the north side of Glenwood Avenue and approximately 70 feet west of the intersection of Glenwood Avenue and Berean Avenue.

**PENDING LEGISLATION FOR ZRB (CONT'D)**

Depth: Varies  
Area: Approximately .279 Acre  
Land Lot: 21, 14<sup>th</sup> District Fulton County, Georgia  
Owner: Joel Sadler/Maurice Blount  
Applicant: Harold Singer

**NPU-W**

**Council District 1**

06-O-0017 ( 5)  
**Z-05-104** An Ordinance by Councilmember Carla Smith to amend the 1982 City of Atlanta Zoning Ordinance, as amended, to define and regulate Infill Residential Development; and for other purposes.

06-O-0026 ( 6)  
**Z-05-125** An Ordinance by Councilmember Carla Smith to amend the Zoning Ordinance of the City of Atlanta, and the maps established in connection therewith so that the following property located at 1361, 1362, 1365, 1366, 1371, 1374, 1375, 1381, 1382, 1385, 1386, 1391, 1394, 1395, 1398, 1404, 1407 and 1410 Metropolitan Parkway, SE be changed from the R-4 (Single Family Residential) District to MRC-1 (Mixed Residential Commercial) District; and for other purposes.

06-O-0027 ( 7)  
**Z-05-115** An Ordinance by Councilmember Carla Smith to rezone property from the R-5 (Two-Family Residential) District to the C-1 (Community Business) District, property located at **122 Mayson Avenue, SE**, fronting approximately 45 feet on the east side of Mayson Avenue.

Depth: 120 Feet  
Area: Approximately 1.23 Acres  
Land Lot: 210, 15<sup>th</sup> District, Dekalb County, Georgia  
Owner: Tizaz Waldu  
Applicant: Land Logistics, LLC

**NPU-O**

**Council District 5**

06-O-0030 ( 8)  
**U-05-33** An Ordinance by Councilmember Carla Smith granting a Special Use Permit for a Personal Care Home (Section 16-06.005(1) (g)) property located at **38 Anderson Avenue, NW**, fronting approximately 250 feet on the east side of Anderson Avenue.

Depth: Varies  
Area: Approximately 1 Acre  
Land Lot: 148, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Sian D. Hunter  
Applicant: Sian D. Hunter

**NPU-J**

**Council District 3**

**PENDING LEGISLATION FOR ZRB (CONT'D)**

06-O-0147 ( 9)  
**Z-05-136** An Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the MR-4B (Multi-Family Residential) District, property located at **1540 Donald Lee Hollowell Parkway, NW**, fronting approximately 105 feet on the south side of Donald Lee Hollowell Parkway. Property is located at the southeast corner of the intersection of Donald Lee Hollowell Parkway and Elmwood Road.

Depth: Varies

Area: Approximately .596 Acre

Land Lot: 146, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Ladies Framing

Applicant: Sean M. Peters

**NPU-J**

**Council District 3**

06-O-0276 (10)  
**Z-06-08** An Ordinance by Zoning Committee to amend the City of Atlanta Sign Ordinance so as to redefine Principal Occupant; and for other purposes.

06-O-0280 (11)  
**Z-06-03** An Ordinance by Zoning Committee to rezone from the C-1-C (Community Business-Conditional), R-3 (Single-Family Residential) and C-1 (Community Business) Districts to the RG-3 (Residential General-Sector 3) District, property located at **2685 and 2725 Campbellton Road, SW**, fronting approximately 475 feet on the northwest side of Campbellton Road and approximately 243 feet on the west side of Dodson Drive.

Depth: Varies

Area: 5.268 Acres

Land Lots: 199 and 218 14<sup>th</sup> District, Fulton County, Georgia

Owner: Mulugeta Zeleke

Applicant: Patrick O. Leonard

**NPU-R**

**Council District 11**

06-O-0569 (12)  
**Z-06-22** An Ordinance by Zoning Committee to rezone property from the I-1-C (Light Industrial-Conditional) District to the I-1 (Light Industrial) District, property located at **705 Constitution Road, SE**, fronting approximately 175 feet on the south side of Constitution Road beginning at the northeasterly intersection of Jonesboro Road and Constitution Road.

Depth: Varies

Area: Approximately .779 Acre

Land Lot: 27, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Desmond Q. McKnight

Applicant: Lee Mayweather

**NPU-Z**

**Council District 1**

**PENDING LEGISLATION FOR ZRB (CONT'D)**

06-O-0773 (13)  
**Z-06-34** An Ordinance by Councilmember Carla Smith to rezone from the R-3 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **3820 Ivy Road, NE**, fronting approximately 210 feet on the west side of Ivy Road and Old Ivy Road.

Depth: Varies

Area: Approximately 4.225 Acres

Land Lot: 63, 17<sup>th</sup> District, Fulton County, Georgia

Owner: Monte Hewett

Applicant: Monte Hewett

**NPU-B**

**Council District 7**

06-O-0775 (14)  
**Z-06-36** An Ordinance by Councilmember Carla Smith to rezone from the C-1 (Community Business) District and the R-4 (Single-Family Residential) District to the PD-MU (Planned Development-Mixed Use) District, property located at **685-701 Commercial Avenue, NW and 2560 Donald L. Hollowell Parkway N. W. (formerly known as Bankhead Highway)**, fronting approximately 595 feet on the south side of Donald L. Hollowell Parkway and approximately 438 feet on the east side of Commercial Avenue, approximately 717 feet on the west side of Woods Drive and approximately 135 feet on the south side and 136 feet on the north side of an unimproved right-of-way of Woodrow Street.

Depth: Varies

Area: Approximately 411.24 Acres

Land Lot: 208, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Second Avenue Development, Inc., and  
Commercial Avenue, LLC. c/o Gee Harvey

Applicant: Gee Harvey

**NPU-J**

**Council District 9**

06-O-0777 (15)  
**Z-06-38** An Ordinance by Councilmember Carla Smith to rezone from the R-5 (Two-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **Tract 1 - 1398-1454 Vaughn Street, SE and 1415-1453 Woodbine Avenue, SE**, fronting approximately 473 feet on the south side of Woodbine Avenue and approximately 455 feet on the north side of Vaughn Street, Depth: Varies **Tract 2 - 1449-1451 Vaughn Street and 1454-1458 Memorial Drive, SE**, fronting approximately 100 feet on the south side of Vaughn Street and approximately 100 feet on the north side of Memorial Drive. Tracts 1 and 2 combined fronts approximately 720 feet on the east side of Montgomery Street.

**PENDING LEGISLATION FOR ZRB (CONT'D)**

Depth: Varies  
Area: 6.51 Acres  
Land Lots: 207 and 208, 15<sup>th</sup> District, Dekalb County, Georgia  
Owner: Al Livnat  
Applicant: Jared L. Samples  
**NPU-O** **Council District 5**

06-O-0934 (16) An Ordinance by Councilmember Carla Smith  
**Z-06-55** to rezone from the I-1 (Light Industrial) District to the RG-3 (Residential General Sector 3) District, property located at 1921 Anne Street, NW, Land Lot 230, 17<sup>th</sup> District, Fulton County, Georgia.

06-O-0952 (17) An Ordinance by Zoning Committee to rezone from the R-3  
**Z-06-39** (Single-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **788, 846 and 856 Canterbury Road, NE**, fronting approximately 237 feet on the north side of Canterbury Road.

Depth: Varies  
Area: Approximately 3.625 Acres  
Land Lots: 7 and 47, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Joan King, Beverly Sams and Abdul Karen Ahmed  
Applicant: Capital Partners Development, Inc., c/o Laurel A. David, Esquire/Dillard and Galloway, LLC.  
**NPU-B** **Council District 7**

06-O-0955 (18) An Ordinance by Zoning Committee to rezone from the I-1-C  
**Z-06-44** (Light Industrial-Conditional) District to the MR5-A (Multi-Family Residential) District, property located at **1155 Hill Street, SE**, fronting approximately 350 feet on the west side of Hill Street and approximately 272 feet on the north side of Englewood Avenue.

Depth: Varies  
Area: Approximately 8.719 Acres  
Land Lot: 55, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Jack and Harvey Taffel  
Applicant: Chaz E. Waters/Skyline Partners, LLC.  
**NPU-Y** **Council District 1**

06-O-0957 (19) An Ordinance by Zoning Committee to rezone from the R-4  
**Z-06-46** (Single-Family Residential) District to the MR-3 (Multi-Family Residential) District, property located at **156-212 Lakewood Way, SE**, fronting approximately 238 feet on the southwesterly side of Lakewood Way.

**PENDING LEGISLATION FOR ZRB (CONT'D)**

Depth: Varies  
Area: Approximately 1.582 Acres  
Land Lot: 71, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: John Burnette  
Applicant: John Burnette  
**NPU-Y** **Council District 12**

06-O-0961 (20)  
**U-06-07** An Ordinance by Zoning Committee granting a Special Use Permit for a Community Service Facility (Section 16-06.005 (1) (g)), property located at **8 East Lake Drive, NE**, fronting approximately 160 feet on the west side of East Lake Drive and approximately 182 feet on the north side of Hosea Williams Drive.

Depth: Varies  
Area: Approximately .66 Acre  
Land Lot: 204, 15<sup>th</sup> District, Dekalb County, Georgia  
Owner: Elizabeth Omilami  
Applicant: Patrise Perkins-Hooker  
**NPU-O** **Council District 5**

06-O-0962 (21)  
**U-06-08** An Ordinance by Zoning Committee granting a Special Use Permit for a Personal Care Home (Section 16-06.005 (1) (g)), property located at **1648 Stokes Avenue, SW**, fronting approximately 49.77 feet on the south side of Stokes Avenue.

Depth: 200 Feet  
Area: Approximately .23 Acre  
Land Lot: 149, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Erica O. Chang  
Applicant: Erica O. Chang  
**NPU-T** **Council District 10**

06-O-0967 (22)  
**Z-06-50** An Ordinance by Zoning Committee to amend the City of Atlanta Sign Ordinance so as to allow temporary construction fences to be decorative; and for other purposes.

06-O-1066 (23)  
**Z-06-65** An Ordinance by Councilmember Anne Fauver to amend Section 16-24.005 (5) of the Code of Ordinances of the City of Atlanta (The Zoning Ordinance) so as to provide that if property upon which a non-conforming use of a major structure or major structure and premises in combination, is rezoned during the one year grandfathering period pursuant to a Livable Communities Initiative (LCI) Process, said nonconforming use status shall cease and the major structure or major structure and premises in combination shall not thereafter be used except in conformity with the regulation of the district in which it is located; to waive conflicting ordinances; and for other purposes.

**PENDING LEGISLATION FOR ZRB (CONT'D)**

06-O-1070 (24) An Ordinance by Zoning Committee to rezone from the R-3  
**Z-06-60** (Single-Family Residential) District to the RG-2 (Residential General-Sector 2) District, property located at **2225 Bohler Road, NW**, fronting approximately 134.52 feet on the east side of Bohler Road.

Depth: Varies

Area: Approximately 0.994 Acre

Land Lot: 194, 17<sup>th</sup> District, Fulton County, Georgia

Owner: Richard S. Childers and David F. Childers

Applicant: Richard S. Childers

**NPU-C**

**Council District 9**

06-O-1073 (25) An Ordinance by Zoning Committee to rezone from the C-1  
**Z-06-63** (Community Business) District and R-5 (Two-Family Residential) District to the C-1 (Community Business) District property located at **1131 State Street (aka 348 14<sup>th</sup> Street, NW) 1129 State Street, NW and 1132 Atlantic Drive, NW**, fronting approximately 224 feet on the south side of 14<sup>th</sup> Street, approximately 200 feet on the east side of State Street and approximately 100 feet on the west side of Atlantic Street.

Depth: Varies

Area: 1.176 Acres

Land Lot: 149, 17<sup>th</sup> District, Fulton County, Georgia

Owner: Joseph C. Delmonte, BOP, LLC John Porter  
2/Ariest Porter, Sam Porter and Rosemary Porter

Applicant: Metro Group Development c/o Stephe F. Fusco,  
Esq.

**NPU-E**

**Council District 2**

06-O-1190 (26) An Ordinance by Zoning Committee granting a Special Use  
**U-06-13** Permit for a Cemetery pursuant to Section 16-08.005 (1) (a), property located at **788, 846 and 856 Canterbury Road, NE**, fronting approximately 237 feet on the north side of Canterbury Road.

Depth: Varies

Area: Approximately 3.625 Acres

Land Lots: 7 and 47, 17<sup>th</sup> District, Fulton County, Georgia

Owner: Joan King, Beverly Sams and Abdul Karen  
Ahmed

Applicant: Capital Partners Development, Inc., c/o Laurel  
A. David, Esquire/Dillard and Galloway, LLC

**NPU-B**

**Council District 7**

## **PENDING LEGISLATION FOR ZRB (CONT'D)**

- 06-O-1317 (27) An Ordinance by Zoning Committee to amend the 1982  
**Z-06-51** Zoning Ordinance of the City of the Atlanta by creating a New Chapter entitled Chapter 18V. SPI-22 Memorial Drive/Oakland Cemetery District Regulations and to amend the Official Zoning Map by supplanting existing Zoning Districts RG-4, RG-5, R-5, C-1, C-1-C, C-2, C-2-C, C-3, I-1, I-1-C, I-2, MRC-3, and PD-MU with said SPI-22 District and to amend Chapter 28A.010 by adding a new Subsection (49) SPI-22 Memorial Drive/Oakland Cemetery District; and for other purposes.
- 06-O-1319 (28) An Ordinance by Zoning Committee to rezone certain  
**Z-06-53** properties within the Memorial Drive Corridor in the Grant Park Neighborhood from the I-1 (Light Industrial) District to the I-1-C (Light Industrial- Conditional) District; and for other purposes.
- 06-O-1439 (29) An Ordinance by Zoning Committee to rezone from the R-3  
**Z-06-67** (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **653-711 Longleaf Drive, NE**, fronting approximately 690 feet on the south side of Longleaf Drive, beginning approximately 445 feet from the southeast corner of North Stratford Road.  
Depth: Approximately 200 feet  
Area: Approximately 2.97 Acres  
Land Lot: 44, 17<sup>th</sup> District, Fulton County, Georgia  
Owners: Andrew Fleshner, Executor for the Estate of Ruth B. Fleshner, Lee H. Wysong, James T. and Elaine H. Horton, Maxwell R. Calloway, Mary L. and Craig G. Adams, and Mark R. and Virginia D. Simpson  
Applicant: Jim Brown  
**NPU-B** **Council District 7**
- 06-O-1442 (30) An Ordinance by Zoning Committee to rezone from the RG-4  
**Z-06-71** (Residential General-Sector 4) District to the MR5-A (Multi-Family Residential) District, property located at **3057 North Pharr Court, NW**, fronting approximately 320.72 feet on the northeast side of Pharr Court and located on the southwesterly side by Pharr Road Connector, private drive.  
Depth: Varies  
Area: Approximately 2.7 Acres  
Land Lot: 99, 17<sup>th</sup> District, Fulton County, Georgia



**PENDING LEGISLATION FOR ZRB (CONT'D)**

Owners: George W. Rohrig, Jr., Rohrig Investments, LP, Lilian Bayley, N. W. Mickwee, Leah C. Vanlever and Michael A. Bradley as attorney in fact on behalf of certain unit owners and as owner of certain units.

Applicant: William Bartlett

**NPU-B**

**Council District 8**

06-O-1446 (31)

**U-06-16**

An Ordinance by Zoning Committee granting a Special Use Permit for a Personal Care Home pursuant to Section 16-06.005(1)(g), property located at **1067 Constitution Road, SE**, fronting approximately 110 feet on the south side of Constitution Road and located approximately 1,580 feet west of the southwest corner of Constitution Road and McDonough Road.

Depth: Varies

Area: Approximately 1.57 Acres

Land Lot: 6, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Beverly Callahan

Applicant: Charles E. Callahan

**NPU-Z**

**Council District 1**

06-O-1569 (32)

**Z-06-76**

An Ordinance by Councilmember Kwanza Hall to amend certain sections of the City of Atlanta Zoning Code concerning affordable Housing in the Midtown Special Public Interest Zoning District (SPI-16); and for other purposes.

06-O-1571 (33)

**Z-06-93**

An Ordinance by Councilmember Kwanza Hall to amend Section 16-18P.028(3)(b)(i); to add to existing Midtown Transit Station Area "M" (as depicted on the Map as Exhibit A attached and incorporated by reference); the 7.8 are tract bordered by Spring Street to the east, a development adjacent to 5<sup>th</sup> Street to the south, Williams street to the east and Peachtree Place NW to the north, (as more particularly described in Exhibit B, also attached and incorporated by reference), ("Subject Property")

06-O-1487 (34)

**U-06-17**

An Ordinance by Zoning Committee granting a Special Use Permit for an Automobile Salvage Yard pursuant to Section 16-17.005(1)(c), property located at **2124 Jonesboro Road, SE**, fronting approximately 864.9 feet on the east side of Jonesboro Road and located approximately 211 feet north of the intersection of Constitution Road and Jonesboro Road.

**PENDING LEGISLATION FOR ZRB (CONT'D)**

Depth: Varies  
Area: Approximately 23.5 Acres  
Land Lots: 27 and 38, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Transus, Inc.  
Applicant: A-Tow, Inc.

**NPU-Z**

**Council District 1**

06-O-1790 (35)  
**Z-05-49**

An Ordinance by Zoning Committee to rezone from the R-4 (Single Family Residential) District to the MRC-3 (Mixed Residential Commercial) District, property begins at the northerly right-of-way of Piedmont Avenue and encompasses the former Norfolk Southern Railroad tracks and right-of-way and Piedmont Avenue and concludes at the southerly right-of-way of Park Drive. Parcel also referenced as Northeast Beltline Parcel One (Piedmont Avenue/Park Drive).

Depth: Varies  
Area: Approximately 14.13 Acres  
Land Lots: 54 and 55, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Piedmont Beltline, LLC  
Applicant: Piedmont Beltline, LLC

**NPU-E and F**

**Council District 6**

06-O-1791 (36)  
**Z-05-50**

An Ordinance by Zoning Committee to rezone from the R-4 (Single Family Residential) and C-1 (Community Business) Districts to the PD-H (Planned Development-Housing) District, property begins at the southerly right-of-way of Park Drive and encompasses the former Norfolk Southern Railroad tracks and the right-of-way beginning at the former Norfolk Southern Railroad right-of-way and Park Drive, and concludes at the westerly right-of-way of Monroe Drive and the northerly right-of-way of Tenth Street. Parcel also referenced as Northeast Beltline Parcel Two (Park Drive to Monroe Drive).

Depth: Varies  
Area: Approximately 7.36 Acres  
Land Lot: 54, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Piedmont Beltline, LLC  
Applicant: TCRA Properties, Inc.

**NPU-E and F**

**Council District 6**

**PENDING LEGISLATION FOR ZRB (CONT'D)**

06-O-1792 (37)    An Ordinance by Zoning Committee to rezone from the I-1  
**Z-05-51**            (Light Industrial) District to the MRC-3 (Mixed Residential  
Commercial) District, property begins at the southerly right-  
of-way of Monroe Drive and encompasses the former Norfolk  
Southern Railroad tracks and the right-of-way beginning at  
the former Norfolk Southern Railroad right-of-way and  
Monroe Drive, crossing Virginia Avenue and concluding at  
the northerly right-of-way of Ponce de Leon Avenue. Parcel  
also referenced as Northeast Beltline Parcel Three (Monroe  
Drive to Ponce de Leon Avenue).

Depth:            Varies

Area:             Approximately 7.895 Acres

Land Lots:    17, 53 and 54, 14<sup>th</sup> District, Fulton County,  
Georgia

Owner:          Corridor Beltline, LLC

Applicant:    Corridor Beltline, LLC

**NPU-E and F**

**Council District 6**

06-O-1793 (38)    An Ordinance by Zoning Committee to rezone from the I-1  
**Z-05-52**            (Light Industrial) and I-2 Districts to the MRC-3 (Mixed  
Residential Commercial) District, property begins at the  
southerly right-of-way of Ponce de Leon Avenue and  
encompasses the former Norfolk Southern Railroad tracks  
and right-of-way beginning at the former Norfolk Southern  
Railroad right-of-way and Ponce de Leon Avenue, crosses  
North Avenue and Ralph McGill Boulevard and concludes at  
the southerly right-of-way of Freedom Park. Parcel also  
referenced as Northeast Beltline Parcel Four (Ponce de Leon  
Avenue to Freedom Parkway).

Depth:            Varies

Area:             Approximately 7.18 Acres

Land Lots:    17 and 18, 14<sup>th</sup> and 17<sup>th</sup> Districts, Fulton  
County, Georgia

Owner:          Corridor Beltline, LLC/North Avenue Beltline,  
LLC

Applicant:    Corridor Beltline, LLC/North Avenue Beltline,  
LLC

**NPU-M and N**

**Council District 2**

**PENDING LEGISLATION FOR ZRB (CONT'D)**

- 06-O-1794 (39)  
**Z-05-53**
- An Ordinance by Zoning Committee to rezone from the I-1 (Light Industrial) and (I-2) Districts to the MRC-3 (Mixed Residential Commercial) District, property begins at the southerly right-of-way of Freedom Parkway and encompasses the former Norfolk Southern Railroad tracks and right-of-way beginning at the former Norfolk Southern Railroad right-of-way and Freedom Parkway, crossing Highland Avenue, Irwin Street/Lake Avenue, Edgewood Avenue and Airline Street and concluding at the northerly right-of-way of Dekalb Avenue. Parcel also referenced as Northeast Beltline Parcel Five (Freedom Parkway to Decatur Street).
- Depth: Varies  
Area: Approximately 7.687 Acres  
Land Lots: 18, 19 and 20, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Corridor Beltline, LLC/Corridor Edgewood, LLC  
Applicant: Corridor Beltline, LLC/Corridor Edgewood, LLC  
**NPU-M and N Council District 2**
- 06-O-1795 (40)  
**Z-06-70**
- An Ordinance by Zoning Committee to rezone from the R-4A (Single-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **2650 Proctor Drive, NW**, fronting approximately 1,190 feet on the west side of James Jackson Parkway, NW, beginning approximately 1,121 feet from the northeast corner of Northwest Drive.
- Depth: Varies  
Area: Approximately 22.6 Acres  
Land Lots: 250 and 258, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Ashwood Development Company  
Applicant: James Bailey  
**NPU-G Council District 9**

**PENDING LEGISLATION FOR ZRB (CONT'D)**

06-O-1797 (41)    An Ordinance by Zoning Committee to rezone from the R-5  
**Z-06-79**            (Two-Family Residential) District to the RG-3 (Residential  
General-Sector 3) District, property located at **987 Myrtle  
Street, NE**, fronting approximately 45.57 feet on the east  
side of Myrtle Street.

Depth:            Approximately 167 Feet

Area:             Approximately 0.17 Acre

Land Lot:        106, 17<sup>th</sup> District, Fulton County, Georgia

Owner:           Dillon Baynes

Applicant:       Dillon Baynes

**NPU-E**

**Council District 6**

06-O-1798 (42)    An Ordinance by Zoning Committee to rezone from the I-1  
**Z-06-78**            (Light Industrial) and R-5 (Two-Family Residential) Districts  
to the MRC-3 (Mixed Residential Commercial) District,  
property located at **1059 Grant Street, SE and 1084 and  
1090 Hill Street, SE**, fronting approximately 200 feet on the  
west side of Grant Street, beginning approximately 860 feet  
north from the northwest corner of Englewood Avenue.

Depth:            Varies

Area:             Approximately 1.71 Acres

Land Lot:        42, 14<sup>th</sup> District, Fulton County, Georgia

Owner:           Jay Kessler

Applicant:       David Green

**NPU-W**

**Council District 1**

06-O-1800 (43)    An Ordinance by Zoning Committee to rezone from the C-1  
**Z-06-81**            (Community Business) District to the MRC-3 (Mixed  
Residential Commercial) District, property located at **1817  
Hollywood Road, NW**, fronting approximately 275 feet on  
the west side of Hollywood Road beginning approximately  
500 feet from the northwest corner of Browntown and  
Hollywood Roads.

Depth:            Approximately 200 Feet

Area:             Approximately 1.38 Acres

Land Lot:        252, 17<sup>th</sup> District, Fulton County, Georgia

Owner:           Nathaniel Smith

Applicant:       Nathaniel Smith

**NPU-G**

**Council District 9**

**PENDING LEGISLATION FOR ZRB (CONT'D)**

06-O-1801 (44)    An Ordinance by Zoning Committee to rezone from the R4-A (Single-Family Residential) District to the MRC-3 (Mixed Residential Commercial) District, property located at **1822 Hollywood Road, NW**, fronting approximately 209 feet on the south side of Perry Boulevard and approximately 85 feet on the east side of Hollywood Road.

Depth:            Approximately 85 Feet

Area:             Approximately 1.29 Acres

Land Lot:        251, 17<sup>th</sup> District, Fulton County, Georgia

Owner:           Nathaniel Smith

Applicant:       Nathaniel Smith

**NPU-G**

**Council District 9**

06-O-1802 (45)    An Ordinance by Zoning Committee to rezone from the C-1 (Community Business) and RG-3 (Residential General-Sector 3) Districts to the MRC-3 (Mixed Residential Commercial) District, property located at **2489 Perry Boulevard, NW**, fronting approximately 856 feet on the north side of Perry Boulevard and approximately 349 feet on the east side of Hollywood Road.

Depth:            Approximately 375 Feet

Area:             Approximately 7.72 Acres

Land Lot:        252, 17<sup>th</sup> District, Fulton County, Georgia

Owner:           Nathaniel Smith

Applicant:       Nathaniel Smith

**NPU-G**

**Council District 9**

06-O-1803 (46)    An Ordinance by Zoning Committee to rezone from the R-3 (Single-Family Residential) and C-1 (Community Business) Districts to the C-1 (Community Business) District, property located at **4402-4418 Roswell Road, NE**, fronting approximately 277 feet on the southwest side of Wieuca Road, beginning approximately 286 feet from the northwest corner of Roswell Road.

Depth:            Approximately 392 Feet

Area:             Approximately 2.33 Acres

Land Lot:        95, 17<sup>th</sup> District, Fulton County, Georgia

Owner:           Cloverleaf Properties I, LP/Walco Investments, LP

Applicant:       Cloverleaf Wieuca, LLC

**NPU-B**

**Council District 8**

06-O-1804 (47) An Ordinance by Zoning Committee to amend Ordinances  
**Z-06-85** 06-O-0688/Z-06-26 and 02-O-1986/Z-02-76 which rezoned  
property located at **2412 James Jackson Parkway, NW**  
from the I-1 (Light Industrial) and I-2 (Heavy Industrial)  
Districts to the PD-H (Planned Development-Housing)  
District, for the purpose of a Site Plan Amendment.  
Land Lots: 255, 256, 263 and 264, 17<sup>th</sup> District, Fulton  
County, Georgia  
Owner: Winmark Homes, Raul Lozano, Brannon McKay,  
Joey Kusky, Denise R. Turner, Patricia  
Montgomery, Harold Simmons, Jr., Reginald  
Strong, Ottina Strong,  
Applicant: Winmark Homes  
**NPU-D** **Council District 9**

06-O-1805 (48) An Ordinance by Zoning Committee to rezone from the I-2  
**Z-06-86** (Heavy Industrial) District to the MR-4A (Multi-Family Residential) District, property located at **1246 Allene Avenue, SW**, fronting approximately 300 feet on the east side of Allene Avenue, beginning approximately 228 feet from the northeast corner of Erin Avenue.

Depth: Varies

Area: Approximately 8.93 Acres

Land Lot: 105, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Allene Avenue Redevelopment, LLC

Applicant: Allene Avenue Redevelopment, LLC

**NPU-X Council District 12**

**PENDING LEGISLATION FOR ZRB (CONT'D)**

06-O-1811 (49) An Ordinance by Zoning Committee granting a Special Use  
**U-06-18** Permit for a Helicopter Landing Facility pursuant to Section 16-18M.007(1)(a), property located at **280 Luckie Street**, fronting approximately 212 feet on the west side of Luckie Street.

Depth: Varies

Area: Approximately 1.00 Acre

Land Lot: 78, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Legacy Pavilion

Applicant: Jack Wexler

**NPU-M**

**Council District 2**

06-O-1922 (50) An Ordinance by Councilmembers Howard Shook, H. Lamar Willis, Jim Maddox and Ceasar C. Mitchell to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a New Chapter to be entitled, 18U, Sandtown Overlay District: to establish design guidelines for said District; to enact, by reference and incorporation, a Map establishing the boundaries of said District for the Sandtown Community; to amend the City of Atlanta Zoning Maps; to modify the zoning process for annexations; and for other purposes.

06-O-1919 (51) An Ordinance by Zoning Committee granting a Special Use  
**U-06-19** Permit for a Church, pursuant to Section 16-20C.008(3) (3), for a church, property located at **330 Edgewood Avenue, NE**, fronting approximately 196 feet on the north side of Edgewood Avenue and approximately 90 feet on the west side of Hilliard Street.

Depth: Varies

Area: Approximately 0.39 Acre

Land Lot: 46, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Larry J. Arnold

Applicant: Dennis K. Lippy

**NPU-M**

**Council District 2**

06-O-1920 (52) An Ordinance by Zoning Committee granting a Special Use  
**U-06-16/U-96-34** Permit for a Hotel, pursuant to Section 16-13.005(1) (g), for the purposes of a change of conditions, property located at **3368 and 3372 Peachtree Road, NE**, fronting approximately 397 feet from the northeasterly side of Peachtree Road beginning at the northwest corner of Peachtree Road and Stratford Road.



**PENDING LEGISLATION FOR ZRB (CONT'D)**

Depth: Varies  
Area: Approximately 5.05 Acres  
Land Lot: 45, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Ackerman-Stratford B., LTD and  
Ackerman-Stratford C., LTD  
Applicant: Ackerman-Stratford Associates, LTD  
**NPU-B** **Council District 7**

06-O-1949 (53)  
**Z-06-87** An Ordinance by Zoning Committee to rezone from the I-2 (Heavy Industrial) and C-1 (Community Business) Districts to the MRC-3 (Mixed Residential-Commercial) District, property located at **708 Jefferson, 694 Jefferson, 694 Jefferson (rear), 694 Julian, 747 Julian, 752 Echo, 736 Echo, 740 Bedford, 733 Echo, 727 (rear), 733 Echo, 723 Echo, 713 Echo, 695 Wheeler, 626 Wheeler, 0 Echo and 673 Wheeler.** **Tract-1-** fronting approximately 219 feet on the northside of Donald Lee Hollowell Parkway, beginning at the northeast corner of Echo Street. **Tract-2-** fronting approximately 269 feet on the south side of Bedford Street beginning at the southwest corner of Echo Street. **Tract-3-** fronting approximately 268 feet on the north side of Bedford Street beginning at the northwest corner of Echo Street. **Tract-4 -** fronting approximately 399 feet on the north side of Wheeler Street beginning at the northeast corner of Echo Street.

Depth: Varies  
Total Area: Approximately 12.8 Acres  
Land Lot: 120, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Fawcett Echo LLP, John Fawcett, Guardian Chemical Company-John Fawcett; Eleanor Farmer, Matthew W. Humphreys; Prager Brush Co.- Leonard Butler Jr., Leonard P. Butler, Jr., Roy Guice; Kenneth H. Cloud; Dobbins Mini Warehouses, Inc., Walter B. Dobbins; John Galat Holdings, LLC  
Applicant: Joe Guido  
**NPU-L** **Council District 3**

**PENDING LEGISLATION FOR ZRB (CONT'D)**

- 06-O-1950 (54)  
**Z-06-92**
- An Ordinance by Zoning Committee to rezone from the R-5 (Single-Family Residential) District to the RG-4 (Residential General-Sector 4) District, property located at **575 Boulevard, SE, (578 Rosalia Street, SE)**, fronting approximately 100 feet on the west side of Boulevard.
- Depth: Varies  
Area: Approximately 0.339 Acre  
Land Lot: 44, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Atlanta Decatur Oxford District United Methodist Church, Bobby A. Jones, Trustee Chair  
Applicant: Jeffrey L. Wilson
- NPU-W** **Council District 1**
- 06-O-1951 (55)  
**Z-06-94**
- An Ordinance by Zoning Committee to rezone from the C-1 (Community Business)/R-4 (Single-Family Residential) Districts to the MR4B (Multi-Family Residential), Districts to the MR4B (Multi-Family Residential) District, property located at **1580 Flat Shoals Road, SE**, fronting approximately 140 feet on the north side of Flat Shoals Road beginning 293 feet on the west side of Maynard Terrace.
- Depth: Approximately 139 Feet  
Area: Approximately .093 Acre  
Land Lots: 146 and 175, 15<sup>th</sup> District, Dekalb County, Georgia  
Owner: Diane Lawrence  
Applicant: James Debro
- NPU-W** **Council District 5**
- 06-O-1952 (56)  
**Z-06-95**
- An Ordinance by Zoning Committee to rezone from the O-I (Office-Institutional) District to the C-1 (Community Business) District, property located at **890 Conley Road, SE**, fronting approximately 804.11 feet on the north side of Conley Road, beginning 957 feet from the northeast corner of Jonesboro Road and Conley Road.
- Depth: Varies  
Area: Approximately 68.32 Acres  
Land Lots: 1, 31 and 32, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Don Scott  
Applicant: Travis Pruitt
- NPU-Z** **Council District 12**

06-O-1953 (57)  
**Z-06-96**

An Ordinance by Zoning Committee to rezone from the I-1 (Light Industrial) District to the R-4 (Single-Family Residential) District, property located at **568 Trabert Avenue, NW**, fronting approximately 280 feet on the south side of Trabert Avenue.

Depth: Varies  
Area: Approximately 0.53 Acre  
Land Lot: 148, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Jamal L. Lewis  
Applicant: Rebecca S. Burney  
**NPU-E** **Council District 8**

06-O-1954 (58)  
**Z-06-97**

An Ordinance by Zoning Committee to rezone from the R-3 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **1971 Fairburn Road, SW**, fronting approximately 256 feet on the west side of Fairburn Road.

Depth: Varies  
Area: Approximately 3.93 Acres  
Land Lot: 7, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Rosie L. McQueen  
Applicant: Rick Blue  
**NPU-P** **Council District 11**

06-O-1955 (59)  
**Z-06-99**

An Ordinance by Zoning Committee to rezone from the PD-H (Planned Development-Housing) District to the PD-MU (Planned Development-Mixed-Use) District, property located at **1602 Johnson Road, NW and 1380/1430 Rockdale Street, NW**, fronting approximately 234 feet on the east side of Johnson Road, beginning 484.46 feet from the northwest corner of Rockdale Street.

Depth: Approximately 1,832 Feet  
Area: Approximately 12.0 Acres  
Land Lots: 225 and 190, 17<sup>th</sup> District, Fulton County, Georgia  
Owner: Northwest Intown Development, LLC  
Applicant: Brock Built, LLC  
**NPU-G** **Council District 9**

**PENDING LEGISLATION FOR ZRB (CONT'D)**

06-O-1956 (60)    An Ordinance by Zoning Committee to rezone from the I-2  
**Z-06-100**        (Heavy Industrial) District to the MR4A (Multi-Family  
Residential) District, property located at **1374 Murphy  
Avenue, SW**, fronting approximately 294 feet on the south  
side of Dill Avenue, Approximately 261 feet on the east side  
of Murphy Avenue and approximately 404 feet on the north  
side of Arden.

Depth:        Varies

Area:         Approximately 3.07 Acres

Land Lot:    120, 14<sup>th</sup> District, Fulton County, Georgia

Owner:       Victor J. Warren

Applicant:   William L. Stephenson

**NPU-X**

**Council District 12**

**SUMMARY REPORT  
ZONING COMMITTEE**

September 27, 2006

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM
<b><u>FAVORABLE</u></b> <b><u>CDP Amendment</u></b> <b><u>Required</u></b>						
06-O-1806	Z-06-88	1634, 1654 and 1700 Hollywood Road, NW (G-9)	R-4 to RG-3-C	Approval Conditional	Approval Conditional	Approval Conditional
06-O-1808	Z-06-90	3103 and 3113 Lenox Road, NE (B-7)	R-3 to RG-3-C	Approval Conditional	Approval	Approval Conditional
06-O-1444	Z-06-73	1687 Monroe Drive, NE (F-6)	RG-2 to RG-3-C	Approval Conditional	Approval	Approval Conditional
06-O-1796	Z-06-77	1332 Metropolitan Parkway, SW (X-12)	R-4 to MRC-3-C	Approval	Approval	Approval Conditional
06-O-1809	Z-06-91	1057 Constitution Road, SE (A.K.A. 1058) (Z-1)	R-4 to MRC-3	Approval	Approval	Approval
<b><u>FAVORABLE</u></b>						
06-O-1488	Z-05-75	3806 Stone Road, SW (P-11)	I-1 to L-W	Approval	Approval	Approval

**MINIMUM REPORT  
ZONING COMMITTEE**  
September 27, 2006

LEGISLATION NUMBER	ZONING NUMBER	LOCATION (NPU/CD)	CHANGE	STAFF RECOMM.	NPU RECOMM.	ZRB RECOMM.
<b><u>FAVORABLE AS AMENDED</u></b>						
06-O-1071	Z-06-61	524, 526 and 530 East Paces Ferry Road, NE and 3081 Maple Drive, NE (B-7)	RL-C and C-1-C to C-1-C	Approval Conditional	Approval	Approval Conditional
06-O-1799	Z-06-80	396 Piedmont Avenue, NE (M-2)	C-5-C to C-5-C for a Change of Conditions	Approval Conditional	Approval Conditional	Approval Conditional
06-O-1318	Z-06-52	Memorial Drive Corridor- Reynoldstown Neighborhood	R-5 (Two-Family Residential), C-1 (Community Business), C-1-C (Community Business-Conditional), C- 2 (Commercial Service), I- 1 (Light Industrial) and I- 2 (Heavy Industrial) Districts to the C-2-C, MR-3 (Multi-Family Residential), MR-3-C (Mixed Residential Commercial-Conditional), I-1-C (Light Industrial- Conditional) and I-2-C (Heavy Industrial- Conditional) Districts			
<b><u>ADVERSE</u></b>						
06-O-1807	Z-06-89	2459 Barge Road, SW (P-11)	R-4 to RL-C	Denial	Approval	Denial

City Council  
Atlanta, Georgia

**06-O-1806**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-88**  
Date Filed: 7-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1634, 1654 and 1700 Hollywood Road, N.W.** be changed from R-4 (Single family residential) District to the RG-3-C (Residential General-Sector 3-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 251, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

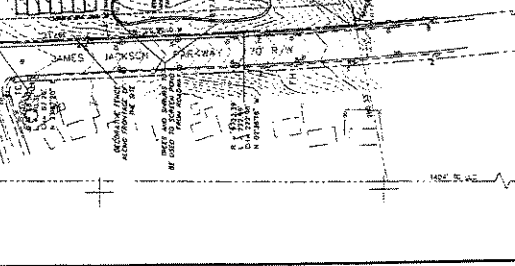
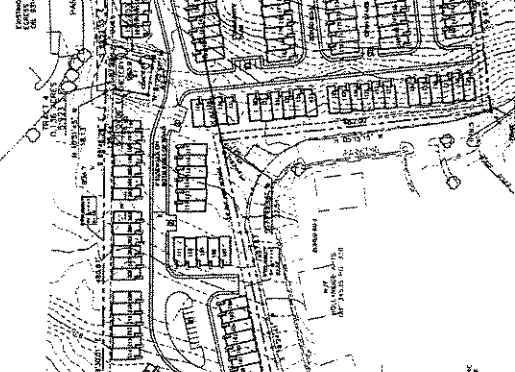
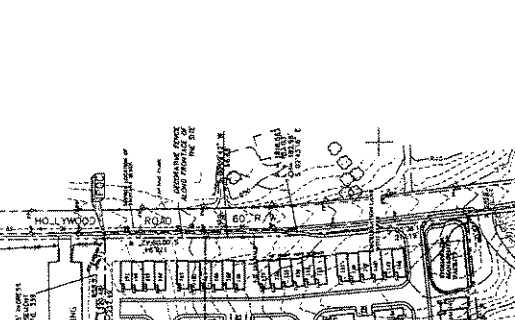
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**CONDITIONS for Z-06-88 for 1634, 1654 and 1700 Hollywood Road, N.W.**

1. A site plan entitled "The Village at Scotts Crossing" by Planners and Engineers Collaborative dated April 3, 2006 last revised 8/29/06 and marked received by the Bureau of Planning September 13, 2006;
2. 5% American with Disabilities Act (ADA) handicap accessible units. These units shall have master bedroom on the main level and washer/dryer capability on the main level. There shall be a continuous unobstructed accessibility from the public street to the garage and onto the main level of the unit;
3. A minimum of 4.25 parking spaces per unit. Each unit should accommodate four (4) vehicles which consist of a 2 car side-by-side garage and 2 exterior parking spaces in front of the garage. The additional parking should be designated throughout the property as guest parking and located as close as practicable to the buildings. The additional designated guests parking shall be constructed as a separate parking lot and shall not be part of on-street parking;
4. The property proposed for rezoning shall have ingress and egress points along either Browntown Road or Hollywood Road;
5. A distance of a minimum of twenty (20) feet from the back of the curb to the garage door opening of the unit;
6. A minimum roadway width of twenty-four (24) feet and a minimum of four (4) feet in width of sidewalks along both sides of the street measured from back of curb to back of curb.
7. Minimum square footage shall be 1,500 square feet per unit.
8. All units shall be comprised of either stone, brick, stucco or hardiplank or any combination thereof.
9. A minimum of two (2) pocket parks spread throughout the development.
10. Exterior lighting shall be designed so as to minimize light spill into those existing surrounding residential structures.
11. The development shall retain storm water runoff at 35% less than the pre-development condition (this represents a 5% improvement above the standards adopted in the City of Atlanta's Regulation regarding storm water runoff for new development).
12. The project shall have a clubhouse with a minimum of 1,600 square feet of heated floor area and will contain an area set aside for meeting space sufficient to accommodate 150 people.
13. The developer shall provide a copy of its tree save plan to the Chairman of NPU-G and to the District Council Member at the time the proposed plan is submitted to the Bureau of Buildings. Evidence of meeting this condition shall be a letter from the applicant transmitting said plan to NPU-G.



14. These conditions of zoning shall be binding upon all successors and assigns of the Applicant. The subdivision, sale, or partition of all or any part of this property shall not alter the obligation of all owners of the property to comply with these conditions of zoning. The Applicant will not change any major elements of the Site Plan approved herein without providing evidence that notice of such request has been given to the Chair of the of NPU-G.

[illegible][illegible]

### Land Use Intensity Chart - Sector 3

Category	G.L.A.*	% Avg.	Required	Provided	% Prov.
Residential Single-Family	700,200 sq. ft.	0.10	211,500 sq. ft.	211,500 sq. ft.	0.3099
Office	700,200 sq. ft.	0.10	143,500 sq. ft.	143,500 sq. ft.	0.0202
Total Open Space	700,200 sq. ft.	0.10	143,500 sq. ft.	143,500 sq. ft.	0.0202
Unusable Open Space	700,200 sq. ft.	0.10	370,250 sq. ft.	370,250 sq. ft.	0.5009
Public	140,040 sq. ft.	0.02	175,050 sq. ft.	175,050 sq. ft.	0.1251
Parking	140,040 sq. ft.	0.02	175,050 sq. ft.	175,050 sq. ft.	0.1251

**Avg. Area**  
 15,400 sq. ft.  
 15,400 sq. ft.  
 15,400 sq. ft.  
 15,400 sq. ft.  
 15,400 sq. ft.

**Area Description**  
 15,400 sq. ft. of area  
 15,400 sq. ft. of area  
 15,400 sq. ft. of area  
 15,400 sq. ft. of area  
 15,400 sq. ft. of area

**Notes**  
 15,400 sq. ft. of area  
 15,400 sq. ft. of area  
 15,400 sq. ft. of area  
 15,400 sq. ft. of area  
 15,400 sq. ft. of area

**GRAND LAND AREA**

24 HOUR CONTACT: MR. HENRY MASSIE @ 404-983-6363


Z-06-88

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City Council  
Atlanta, Georgia

**06- 0 -1806**

AN ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-88**  
Date Filed: 7-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1634, 1654 and 1700 Hollywood Road, N.W.** be changed from R-4 (Single family residential) District to the RG-3 (Residential General-Sector 3) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 251, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

ORIGINAL

LEGAL DESCRIPTION  
TRACT 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN  
LAND LOT 251 OF THE 17TH DISTRICT, 2RD SECTION, FULTON  
COUNTY, GEORGIA AND MORE PARTICULARLY DESCRIBED  
AS FOLLOWS:

BEGINNING at the intersection of the 50 ft. right-of-way of  
Browntown Road and the 60 ft. right-of-way of Hollywood Road;  
THENCE South 02 degrees 48 minutes 27 seconds East for a  
distance of 317.82 feet along the 60 ft. right-of-way of Hollywood  
Road to a point;  
THENCE North 89 degrees 30 minutes 52 seconds West for a  
distance of 5.80 feet to a point;  
THENCE South 00 degrees 06 minutes 33 seconds West for a  
distance of 455.00 feet along the 60 ft. right-of-way of Hollywood  
Road to an iron pin found (#4 rebar) at the TRUE POINT OF BEG-  
INNING;  
THENCE South 00 degrees 09 minutes 42 seconds West for a  
distance of 178.94 feet along the 60 ft. right-of-way of Hollywood  
Road to an iron pin set (#4 rebar);  
THENCE North 89 degrees 14 minutes 16 seconds West for a  
distance of 263.45 feet to a point;  
THENCE South 78 degrees 33 minutes 07 seconds West for a  
distance of 151.93 feet to an iron pin found (1.5" open top pipe);  
THENCE South 77 degrees 42 minutes 46 seconds West for a  
distance of 22.54 feet to an iron pin found (#4 rebar);  
THENCE South 78 degrees 24 minutes 41 seconds West for a  
distance of 497.63 feet to an iron pin found (1.5" open top pipe);  
THENCE South 78 degrees 26 minutes 03 seconds West for a  
distance of 639.11 feet to an iron pin set (#4 rebar) on the 70 ft. right-  
of-way of James Jackson Parkway;  
THENCE along a curve to the right having a radius of 9723.39  
feet and an arc length of 222.99 feet, being subtended by a chord  
of North 02 degrees 36 minutes 18 seconds West for a distance of  
222.98 feet along the 70 ft. right-of-way of James Jackson Parkway  
to a point;  
THENCE North 01 degrees 56 minutes 53 seconds West for a  
distance of 397.17 feet to a point;  
THENCE along a curve to the right having a radius of 68.50  
feet and an arc length of 70.31 feet, being subtended by a chord  
of North 27 degrees 27 minutes 20 seconds East for a distance of  
67.26 feet along the 70 ft. right-of-way of James Jackson Parkway  
to a point on the 50 ft. right-of-way of Browntown Road;  
THENCE North 56 degrees 51 minutes 32 seconds East for a  
distance of 313.89 feet along the 50 ft. right-of-way of Browntown  
Road to a point;  
THENCE North 82 degrees 28 minutes 52 seconds East for a  
distance of 325.79 feet to an iron pin set (#4 rebar);  
THENCE South 00 degrees 34 minutes 12 seconds West for a  
distance of 446.91 feet to an iron pin found (#4 rebar);  
THENCE South 89 degrees 30 minutes 01 seconds East for a  
distance of 480.87 feet to a point;  
THENCE South 88 degrees 46 minutes 29 seconds East for a  
distance of 158.44 feet to a point;



Z-66-88

THENCE South 10 degrees 51 minutes 45 seconds East for a distance of 18.13 feet to a point;  
THENCE South 11 degrees 01 minutes 06 seconds West for a distance of 59.19 feet to a point;  
THENCE South 81 degrees 25 minutes 41 seconds East for a distance of 67.23 feet to a point;  
THENCE North 15 degrees 52 minutes 53 seconds East for a distance of 89.15 feet to a point;  
THENCE South 89 degrees 52 minutes 55 seconds East for a distance of 237.49 feet to the TRUE POINT OF BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 15.46 acres more or less.



Z-06-88

RCS# 481  
8/21/06  
4:05 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1790 THRU 06-O-1811 (1-22)

REFER

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

City Council  
Atlanta, Georgia

**06- 0 -1807**

AN ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-89**  
Date Filed: 7-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2459 Barge Road, S.W.**, be changed from the R-4 (Single family residential) District to the RL-C (Residential –Limited Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 5, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

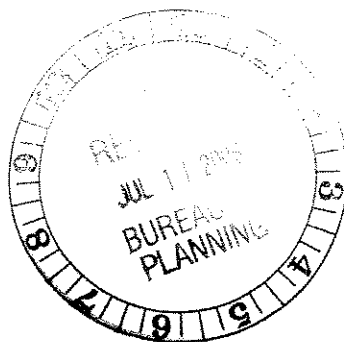
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

ALL THAT TRACT AND PARCEL OF LAND BEING LOT 8 OF THE PROPERTY OF MRS. CLOE BELLE MCFARLAND, LOCATED IN LAND LOT 5 OF THE 14TH DISTRICT, FULTON COUNTY GEORGIA, AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT A HALF INCH REBAR ON THE WESTERLY RIGHT-OF-WAY LINE OF BARGE ROAD LOCATED 307.5 FEET NORTH, ALONG SAID RIGHT-OF-WAY, OF MELWOOD DRIVE; THENCE, LEAVING SAID RIGHT OF WAY, NORTH 85 DEGREES 28 MINUTES 27 SECONDS WEST, A DISTANCE OF 179.56 FEET, TO A ONE INCH OPEN TOP PIPE; THENCE NORTH 02 DEGREES 51 MINUTES 09 SECONDS EAST A DISTANCE OF 74.98 FEET, TO A ONE INCH CRIMP TOP PIPE; THENCE SOUTH 85 DEGREES 28 MINUTES 10 SECONDS EAST, A DISTANCE OF 180.31 FEET, TO A HALF INCH REBAR LOCATED ON THE WESTERLY RIGHT-OF-WAY LINE OF BARGE ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE, SOUTH 05 DEGREES 25 MINUTES 42 SECONDS WEST A DISTANCE OF 74.95 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 0.309 ACRES (13,484 SQUARE FEET) AS SHOWN ON PLAT OF SURVEY BY BOUNDARY ZONE, INC, DATED JUNE 29, 2006.



Z-06-89



RCS# 481  
8/21/06  
4:05 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1790 THRU 06-O-1811 (1-22)

REFER

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

City Council  
Atlanta, Georgia

**06-O-1808**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-90**  
Date Filed: 7-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **3103 and 3113 Lenox Road, N.E.** be changed from the R-3 (Single family residential) District to the RG-3-C (Residential General-Sector 3 Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 6, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

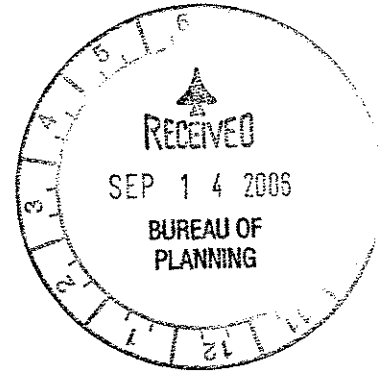
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Z-06-90

**MEMORANDUM OF ZONING CONDITIONS**

**To:** City of Atlanta Zoning Review Board  
**From:** Lenox Road Development, Inc. ("Applicant")  
**Date:** September 14, 2006  
**RE:** Application Z-06-90 (the "Application")

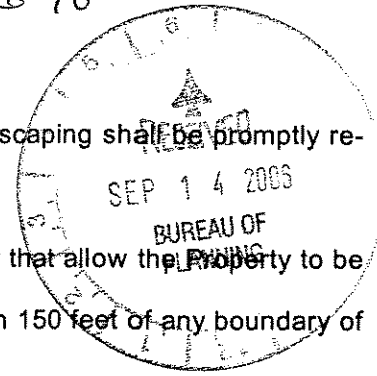
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Applicant stipulates and agrees to be bound by the following twenty-six (26) items as conditions of zoning:

1. The property that is the subject of the Application (the "Property") shall be developed with seven (7) attached single-family residential townhomes in accordance with the attached site plan (the "Site Plan").
2. To the extent of any conflict or ambiguity between these conditions and the Site Plan and any development regulations, the most restrictive provision shall govern, supersede and control.
3. The Property shall be developed and used only for single-family residential uses.
4. There shall be no primary or accessory retail, commercial or other business use of the Property or any part thereof. Retail, commercial and business uses, whether primary or accessory, are strictly prohibited.
5. Any and all residences shall have a minimum heated floor area of 2300 square feet on average.
6. Any and all residences shall be served by an attached two-car garage.
7. Any and all residences shall be served by underground utilities only.
8. Chain link fencing is not permitted anywhere on the Property. Fencing and gates, if installed on the Property, must (except for the area of vehicular access through a main entry gate) be completely screened from view on the exterior facade of such fencing, by evergreen trees, plants, shrubs and similar landscaping materials (exterior meaning the side of such fencing that

Z-06-90



does not face the interior of the Property). Dead or deteriorated landscaping shall be promptly replanted and installed.

9. There shall be no curb cuts in or through the Property that allow the Property to be developed in conjunction with any other realty that has frontage within 150 feet of any boundary of the Property or vehicular access to Lenox Road.

10. Access for motorized vehicles (e.g., cars, trucks, motorcycles, scooters, mopeds, etc.) shall be from/onto Lenox Road only. Motorized vehicular (e.g., cars, trucks, motorcycles, scooters, mopeds, etc.) access from/onto Crane Road is prohibited. Constitutional rights of access to Crane Road (i.e., for access with motorized vehicles) are waived.

11. Each townhome shall be finished on all sides with any of brick, hardcoat stucco, stone, or shake shingles; wood and planked siding shall not be permitted except on eaves, dormers, and gables.

12. The Property may not now or in the future be developed in conjunction with, or adjoined to, any adjoining or nearby land or subdivisions.

13. There shall be planted along Lenox Road and Crane Road, not later than the date of issuance of a certificate of occupancy for the first residential structure, large hardwood shade trees (oak, maple or better species; 8 to 10 feet in height; minimum 5 inch caliper) in accordance with a landscape plan to be prepared by a Georgia registered professional landscape architect and approved by the City of Atlanta and such landscape plan shall supplement the large existing hardwood trees to be saved.

14. There shall be and forever remain a 20 foot undisturbed buffer adjacent to the R-3 property abutting the Property as shown on the Site Plan.

15. A homeowner's association shall and is hereby established to maintain and repair water detention facilities serving the Property (until such time as the City of Atlanta assumes such responsibility) and any common areas and architectural standards at least consistent with these conditions.

16. All lots and townhomes shall be developed in strict compliance with the applicable RG-2 zoning district development standards, and there shall not be permitted any administrative variances or administrative special exceptions (other than the 20 foot front yard setback variance

Z-06-90

that is sought with the Application and is reflected on the Site Plan), whether administrative or otherwise, absent a public hearing in accordance with procedures for non-administrative variances.

17. All water detention facilities shall (i) be fully screened from view using heavy evergreen trees and shrubbery and (ii) be designed so that the rate of release of storm water from the Property site shall not exceed eighty percent (80%) of the rate of release prior to development (i.e., so the post-development rate of release is 20% lower than the pre-development rate of release) and the volume of stormwater leaving the Property site is not increased. Best management practices shall be utilized to control stormwater and sediment leaving the Property.

18. Trees in locations where improvements are not to be constructed shall be preserved to the maximum extent possible.

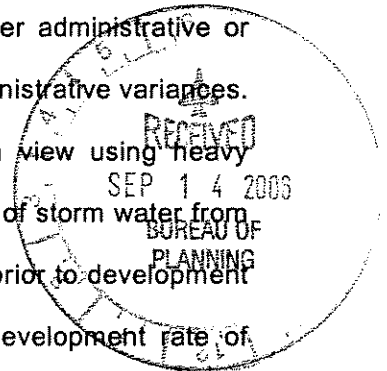
19. Grading and land disturbance activities shall be limited as far as is practicable to that necessary to attain each stage of development and construction.

20. No building permits (including a building permit to engage in land disturbing activities) shall be issued until Applicant and/or its successors or assigns, has received written assurance from the Director of the Bureau of Building for the City of Atlanta (or from the controlling jurisdiction or agency) that sewer capacity is or will be available to the site prior to completion of construction.

21. The following types of signs and lighting shall not be used: (i) neon; (ii) flashing; (iii) strobe; (iv) rotating; (v) fluorescent (if outdoor); (vi) sound-emitting; (vii) banners; and/or (viii) temporary or permanent window signs.

22. These conditions shall not be subject to administrative change. If the present or any future owner of the Property seeks a modification of zoning conditions, the owner shall first file with the City of Atlanta a formal application to modify the zoning conditions, and there shall then be a public hearing on the application, the decision on the application to be made by the public hearing body.

23. Any use of the Property in the RG-2 zoning category in the Zoning Ordinance of the City of Atlanta, Georgia shall not have a floor-to-area ratio (as defined in the RG zoning designations in the Zoning Ordinance of the City of Atlanta, Georgia) in excess of .348.



24. The density of development of the Property shall not exceed 7.6 units per acre of the Property.
25. The total open space for the Property shall be at least .85 acres.
26. The total usable open space for the Property shall be at least .52 acres.

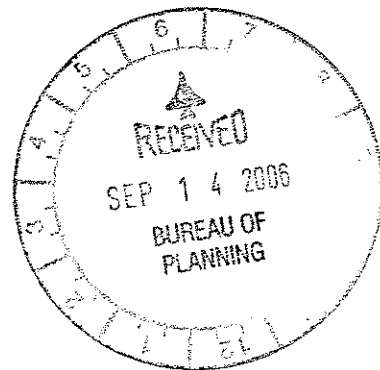
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Lauren Hansford

Dillard & Galloway

Attorneys for Applicant

Z-06-90



City Council  
Atlanta, Georgia

06-0-1808

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-06-90  
Date Filed: 7-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **3103 and 3113 Lenox Road, N.E.** be changed from the R-3 (Single family residential) District to the RG-3-C (Residential General-Sector 3 Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 6, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

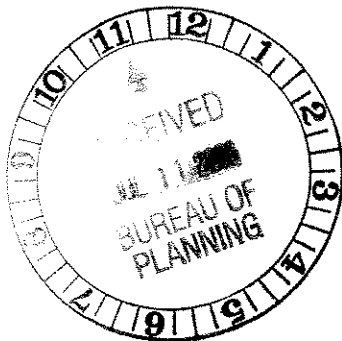
### LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 8 of the 17<sup>th</sup> District, Fulton County, City of Atlanta, Georgia and being more particularly described as follows:

Beginning at the intersection of the easterly right-of-way of Lenox Road (having a 50 foot right-of-way) and the southerly right-of-way of Crane Road (having a 50 foot right-of-way), at an iron pin set; said point being the TRUE POINT OF BEGINNING.

Running thence South 89 degrees 48 minutes 53 seconds East, a distance of 198.18 feet along the southerly right-of-way of Crane Road to an iron pipe found; running thence South 01 degrees 25 minutes 21 seconds West, a distance of 202.16 feet to an iron pipe found; running thence North 89 degrees 59 minutes 09 seconds West, a distance of 198.23 feet to an iron pin found on the easterly right-of-way of Lenox Road; running thence North 01 degrees 25 minutes 55 seconds East, a distance of 202.75 feet along the easterly right-of-way of Lenox Road to an iron pin set and the TRUE POINT OF BEGINNING.

Said tract or parcel containing 0.921 acres, more or less, per survey by Charles S. Crisp, R.L.S. no. 2936, dated May 20, 2006.



2-06-90



RCS# 481  
8/21/06  
4:05 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1790 THRU 06-O-1811 (1-22)

REFER

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

City Council  
Atlanta, Georgia

**06-O-1444**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-73**  
Date Filed: 6-13-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1687 Monroe Drive, N.E.**, be changed from the R-G-2 (Residential General-Sector 2) District to the RG-3-C (Residential General-Sector 3) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 56, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**Conditions for Z-06-73 for 1687 Monroe Drive, N.E.**

1. This property is zoned conditioned on the site plan by Harrison Design & Associates dated July 14, 2006 and stamped "received" by the Bureau of Planning on July 24, 2006.

2. A tree survey of the property is attached as Exhibit A. All trees shown on the survey as "healthy tree to be replaced" that are removed will be replaced with an equivalent number of trees. To the extent that trees shown as "unhealthy or invasive" are removed, a minimum of 10 percent of the total number of said trees removed will be replaced.

3. The following conditions apply to the Monroe Drive frontage of the property:

a) A street furniture and tree planting zone shall be located immediately adjacent to the curb and shall be continuous. This zone shall be a minimum of 5 feet wide. City of Atlanta Type "A" or "C" street lights as approved by the bureau of planning shall be installed 40 feet apart. Trees shall be planted in the zone a maximum of 40 feet on center and spaced between the street lights. The area between the trees shall be planted with grass or ground cover. In addition to the planting of trees, this zone may be used for the purposes set forth in Subsection 16-35.012(1) of the Zoning Ordinance (MR District street furniture and planting zone requirements).

b) A clear zone shall be located immediately contiguous to the street furniture and tree planting zone and shall be continuous. The clear zone shall be hardscape and shall be unobstructed for a minimum height of 8 feet and a width of 10 feet. The hardscape shall continue across the driveway apron.

c) A supplemental zone shall be provided between the clear zone and any building. The following conditions shall apply to the supplemental zone:

i) The supplemental zone shall include a 2.5 foot wide grass planting area immediately contiguous to the clear zone and front yards between the grass planting area and the front face of the residential units. The front yards shall be a minimum of 20 feet deep.

ii) To separate the grass planting area from the front yards, a brick kneewall a minimum of 18 inches high shall be provided. The kneewall shall be topped by a wrought iron fence 24 inches high.

iii) Porches, steps and stoops may be constructed in the supplemental zone.

iv) Each front yard shall be planted with an ornamental tree or a shade tree.

d) The driveway shall have a band of textured concrete adjacent to the street and another band of textured concrete that is in line with the end of the clear zone and the beginning of the supplemental zone. Each band shall be 5 feet wide.

4. The following conditions apply to the interior of the property:

a) All yards in front of entrances to residential units that are at least 10 feet deep shall be planted with either an ornamental tree or a shade tree.

b) Sidewalks shall be a minimum of 5 feet wide.

5. Before submitting an application for a building permit, the applicant shall provide conceptual architectural façade drawings and a landscaping plan to the Piedmont Heights Civic Association for review and comment.

City Council  
Atlanta, Georgia

**06- 0 -1444**

**Z-06-73**

Date Filed: 6-13-06

AN ORDINANCE  
BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1687 Monroe Drive, N.E.**, be changed from the R-G-2 (Residential General-Sector 2) District to the RG-3 (Residential General-Sector 3) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 56, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

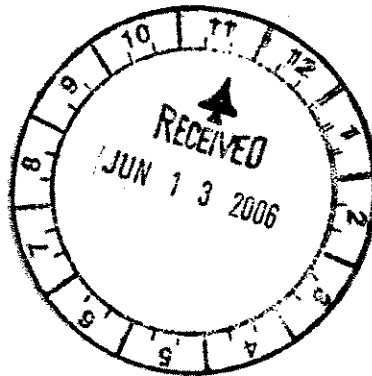
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**LEGAL DESCRIPTION**  
**1687 MONROE DRIVE, N.E.**

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 56 of the 17<sup>th</sup> District of Fulton County, Georgia, containing 2.7517 acres as shown on that certain survey prepared for Charles H. Curtis and Betty L. Berkman by Josh L. Lewis, III, Georgia Registered Land Surveyor No. 1751, dated October 12, 1990, and being more particularly described as follows:

BEGINNING at an iron pin found located at the intersection of the eastern right-of-way line of Monroe Drive (formerly Boulevard) (80 foot right-of-way) and a point located 330.90 feet from the centerline of Montgomery Ferry Drive; thence proceed North  $83^{\circ} 40' 00''$  East, a distance of 392.28 feet to an iron pin found; thence proceed South  $22^{\circ} 13' 00''$  East, a distance of 351.00 feet to an iron pin found; thence proceed North  $89^{\circ} 03' 00''$  West, a distance of 379.77 feet to an iron pin found located on the eastern right-of-way line of Monroe Drive; thence proceed along the aforesaid eastern right-of-way line of Monroe Drive along an arc of a curve to the right with a radius of 1376.83 feet (said arc being subtended by a chord bearing North  $27^{\circ} 29' 26''$  West, a chord distance of 310.24 feet), an arc distance of 310.90 feet to an iron pin found and THE POINT OF BEGINNING.



Z-06-73

City Council  
Atlanta, Georgia

**06-O-1796**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-77**  
Date Filed: 7-10-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1332 Metropolitan Parkway, S.W.**, be changed from R-4 (Single-family Residential) District to the MRC-3-C (Mixed Residential Commercial- Conditional) District, to wit:

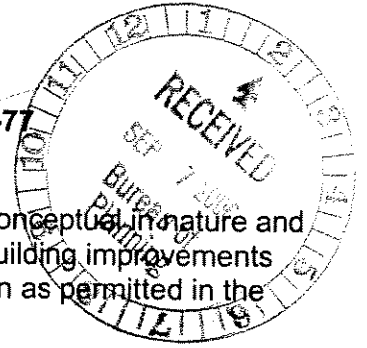
ALL THAT TRACT or parcel of land lying and being Land Lot 88, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**Zoning Conditions for 1332 Metropolitan Pkwy SW; Z-06-77**



1. Building footprints, including their orientation and configuration on the site are conceptual in nature and may be changed, reoriented and reconfigured except that building edges and building improvements above grade may not be any closer to the exterior perimeter property lines than as permitted in the MRC zoning regulations.
2. For new construction, the top of the building parapet or parking structure will not be at a higher absolute elevation than the top of the existing circa 1927 church building.
3. Maximum floor area ratio for residential and non-residential uses shall not exceed 1.696.
4. Developer shall use developer's best efforts to advocate to the City of Atlanta for marking of additional parallel parking spaces along Erin Ave.
5. Walkways and other connective measures shall be designed to connect and unify the property with existing and planned walkways within the overall Metropolitan Pkwy corridor.
7. Signs shall be posted notifying the public at least forty-eight (48) hours in advance of any blasting, or other such loud demolition work.
8. Developer shall use its best efforts, subject to government approval, to keep sidewalks open during construction. At such times as access to sidewalks which are located along the Metropolitan Pkwy, Erin Ave, and Manford Rd frontages are temporarily closed due to construction of this development, such closure shall comply with Atlanta City Codes regarding sidewalk closure, including, in particular, the signage requirements of Section 138-65 and 138-67.
9. Developer shall use developer's best efforts to implement, subject to necessary governmental approval, plans for each curb cut, incorporating measures to indicate approaching crosswalks and pedestrian areas to vehicular traffic.
10. All dumpsters and service facilities shall be screened from street level.
12. There shall be no adult entertainment uses on the property.
13. These conditions of zoning shall be binding upon all successors and assigns of the applicant. The subdivision, sale, or partition of all or any of this property shall not alter the obligation of all owners of the property to comply with these conditions of zoning.
14. All of these narrative conditions will be attached to the zoning application submitted to the City of Atlanta.



City Council  
Atlanta, Georgia

**06- 0 -1796**

AN ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-77**  
Date Filed: 7-10-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1332 Metropolitan Parkway, S.W.**, be changed from R-4 (Single-family Residential) District to the MRC-3 (Mixed Residential Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 88, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

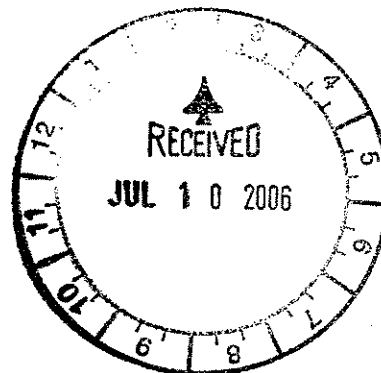
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

## LEGAL DESCRIPTION

all that parcel or tract of land lying and being in Land Lot 88, 14 District, Fulton County, Georgia, being Lots 7, 8, 9, 10, 11 and 12 of Capitol View Subdivision per plat recorded in Plat Book 7 at page 114 and Lots 1, 2, 3, 4, 5, 6, 14 & 15 of Capitol View Manor per plat recorded in Plat Book 11 at Page 176 and being in the name of Anchor Center, Inc., as acquired by deed recorded in Deed Book 16286 At Page 268, Deed cross referenced in Deed Book 18513 at Page 100, Deed of Correction recorded in Deed Book 19379 at Page 321, and Consent Verdict, Judgment and Final Decree as recorded in Deed Book 24140, page 217, all among the land records of Fulton County, Georgia and being more particularly described as follows:

beginning at the intersection of the Easterly right-of-way limits of Metropolitan Parkway, SE (a 60' right-of-way) (formerly Lewart Avenue) and the Northerly right-of-way limits of Medford Road (a 50' Right-of-way);  
thence along the said easterly right-of-way limits of Metropolitan Parkway North 00°04'07" East a distance of 309.67 feet to the southerly right-of-way limits of Erin Avenue (a 50' right-of-way);  
thence along the said southerly right-of-way limits of Erin Avenue South 89°53'20" East a distance of 219.56 feet;  
thence continuing 242.54 feet along a curve to the left having a radius of 843.00 feet, an interior angle of 16°29'05" and a chord bearing North 81°52'07" East a distance of 241.71 feet;  
thence continuing North 73°37'35" East a distance of 52.96 feet;  
thence continuing 58.45 feet along a curve to the right having a radius of 40.00 feet, an interior angle of 80°-51'-18" and a chord bearing North 65°56'46" West a distance of 51.88 feet to the westerly right-of-way limits of Manor Place (a 50' right-of-way);  
thence continuing South 25°31'07" East a distance of 41.99' to a nail set in a tree root;  
thence departing the said westerly right-of-way limits South 60°05'21" West a distance of 132.38 feet to a P.K. Nail found;  
thence continuing South 00°15'13" West a distance of 24.82 feet to an rebar, found;  
thence continuing South 67°07'54" West a distance of 89.96 feet to a rebar, found;  
thence continuing South 80°06'53" West a distance of 40.12 feet to a xax, found;  
thence continuing South 79°50'19" West a distance of 40.06 feet to a xax, found;  
thence continuing South 05°41'44" East a distance of 161.62 feet to the northerly right-of-way limits of the said Medford Road;  
thence continuing along the said northerly right-of-way limits of Medford Road 22.87 feet along a curve to the right having a radius of 276.52 feet, an interior angle of 04°44'18" and a chord bearing North 87°59'37" East a distance of 22.86 feet;  
thence continuing North 89°38'14" West a distance of 291.99 feet to the point of beginning,  
containing 127,062 Square feet or 2.92 acres of land, more or less.



RCS# 481  
8/21/06  
4:05 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1790 THRU 06-O-1811 (1-22)

REFER

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

City Council  
Atlanta, Georgia

06-0 -1809

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-06-91  
Date Filed: 7-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1057 Constitution Road, S.E., (aka addressed as 1058)** be changed from the R-4 (Single family residential) District to the MR3 (Multi-family Residential) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 90, 14<sup>th</sup> ff District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

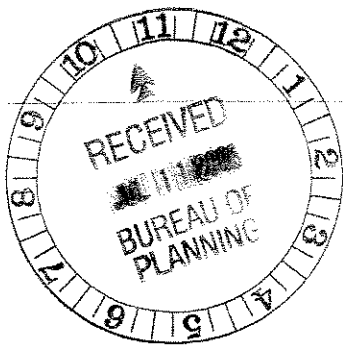
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

All that tract or parcel of land lying in Land Lot 6 of the 14<sup>th</sup> District of Fulton County Georgia, and being more particularly described as follows:

COMMENCING at a ½" rebar found on the Southern right-of-way of Constitution road (said road having a right-of-way of 50 feet) 318.65 feet east of the Easterly right-of-way of Stonewall Drive; Said point being the TRUE POINT OR PLACE OF BEGINNING; thence continuing along the right-of-way of Constitution road North 86 degrees 38 minutes 25 seconds East a distance of 209.99 feet to a point; thence leaving said right-of-way South 03 degrees 02 minutes 34 seconds East a distance of 617.37 feet to a point; thence South 86 degrees 13 minutes 58 seconds West a distance of 210.00 feet to a 1" crimp top pipe found; thence North 03 degrees 02 minutes 34 seconds West a distance of 618.86 feet to a 1½" rebar found on the Southern right-of-way of Constitution road, said point being THE TRUE POINT OR PLACE OF BEGINNING.

Said parcel of land containing 2.979 acres and being shown on a survey for "Christian Brothers Builders & CB Partnership, LLC." dated 05/09/06, being last revised on 05/19/06, by Adam and Lee land surveying and being certified by Gary L. Cooper, R.L.S. #2606.



2-06-91

RCS# 481  
8/21/06  
4:05 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1790 THRU 06-O-1811 (1-22)

REFER

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

City Council  
Atlanta, Georgia

06-0-1488

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-06-75  
Date Filed: 6-19-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **3806 Stone Road, S.W.**, be changed from the I-1 (Light Industrial) District to the LW (Live-Work) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 5, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

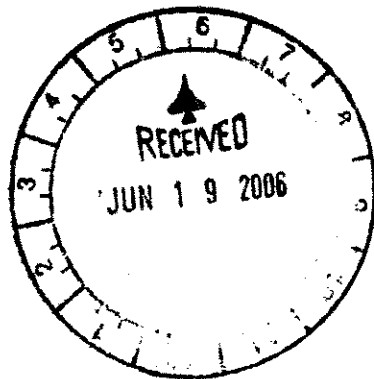
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

ALL THAT TRACT OR PARCEL OF LAND located and being in land lot 5 of the 14<sup>th</sup> district of Fulton County Georgia and being more particularly described as follows:

BEGINNING AT A POINT located on the South Right Of Way line of Stone Road, 1063.5 feet from the S.E. Right Of Way intersection of Fairburn Road and Stone Road. Said point being the True Point of Beginning; Running thence S38-31-35E a distance of 147.15 feet to a point; Running thence S32-4738E a chord distance of 281.618 feet to along a curve having a radius of 1443.32 feet and an arc distance of 281.62 feet to a point; Running thence S88-09-00W a distance of 679.15 feet to a point located on the east right of way of Atlantic Coastline Railroads 100' ROW; Running thence N01-44-01E a chord distance of 241.63 feet along a curve having a radius of 1124.64 feet and an arc distance of 242.10 feet to appoint on said right of way; Running thence N33-33-55W a distance of 153.18 to a point; Running thence S52-52-30W a distance of 430.00 to a point on the South right of way line of Stone Road and the TRUE POINT OF BEGINNING. This property contains Tract "B", 3.272 acres and is 3806 Stone Rd.





RCS# 415  
7/17/06  
3:02 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1487 U-06-17 06-O-1488 Z-06-75  
06-O-1556 06-O-1557 - TO ZRB AND ZONING  
REFER

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	NV Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

City Council  
Atlanta, Georgia

**06-O-1071**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-61**  
Date Filed: 5-9-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **524, 526 and 530 East Paces Ferry Road, N.E. and 3081 Maple Drive, N.E.**, be changed from the RL-C (Residential Limited-Commercial and C-1-C (Community Business-Conditional) Districts to the C-1-C (Community Business-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 61, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

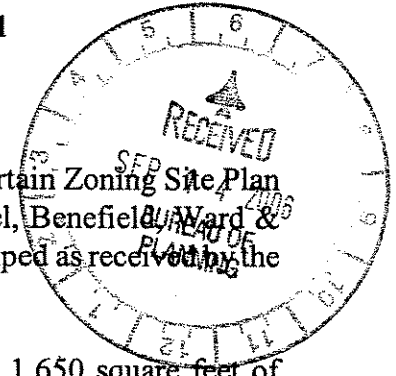
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Z-06-61

**PROPOSED ZONING CONDITIONS FOR Z-06-61  
PARKSIDE PARTNERS, INC.**



- 1) The Property shall be developed substantially in accordance with that certain Zoning Site Plan entitled "East Paces Ferry Road," prepared by Warner, Summers, Ditzel, Benefield, Ward & Associates, dated ~~May 8~~, 2006 and last revised August 31, 2006, and stamped as received by the City of Atlanta Bureau of Planning September 7, 2006.  
8/24 *[signature]*
  - a. The Site Plan shows (i) an existing building on Parcel B with 1,650 square feet of principal structure and a deck with approximately 900 square feet, currently being used as a restaurant with a maximum of eleven (11) parking spaces located as shown on the Site Plan, and (ii) an office building on Parcel A having a maximum height of 66 feet and a maximum floor area of 26,700 square feet of heated floor space which shall be located as shown on the Site Plan with a maximum of ninety-one (91) parking spaces located as shown on the Site Plan. It is understood that should the Applicant's Variance Application be denied, the orientation of the office building will have to shift to accommodate this transitional side yard, however, the square footage, heights and elevations of the office building will remain substantially the same.
- 2) The Office Building shall be developed substantially in accordance with the Building Elevation drawings prepared by Warner, Summers, Ditzel, Benefield, Ward & Associates, dated August 31, 2006 and stamped as received by the City of Atlanta Bureau of Planning September 7, 2006. All four sides of the office building shall be constructed of brick, pre-cast concrete and glass.
- 3) Principal use of Parcel A shall be limited to:
  - a. banks, savings & loan associations and similar financial institutions, so long as such uses do not have an ATM located outside the building or a drive-through teller;
  - b. offices, studios and similar uses;
  - c. professional or personal service establishments; and
  - d. galleries.
- 4) Landscaping along the East Paces Ferry frontage shall be substantially similar to that depicted on the East Paces Ferry Conceptual Landscape Plan prepared by HighGrove Partners, LLC for Parkside Partners, Inc, stamped as received by the City of Atlanta Bureau of Planning September 7, 2006. It is understood that should the Applicant's Variance Application be denied, the orientation of the office building will have to shift to accommodate this transitional side yard, however, the square footage, heights and elevations of the office building will remain substantially the same.
- 5) Detention shall be located underground.
- 6) The entrance drive to Parcel A shall not be gated.
- 7) The existing houses on Parcel A shall not be demolished until the Applicant has filed for a building permit application for the development.

City Council  
Atlanta, Georgia

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-06-61  
Date Filed: 5-9-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **524, 526 and 530 East Paces Ferry Road, N.E. and 3081 Maple Drive, N.E.**, be changed from the RL-C (Residential Limited-Commercial and C-1-C (Community Business-Conditional) Districts to the C-1-C (Community Business-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 61, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

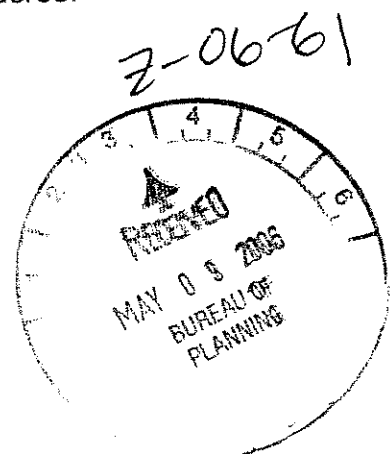
SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

All of that tract or parcel of land lying or being in Land Lot 61, 17th Land District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at a point at the intersection of the northerly right of way of East Paces Ferry Road (70' R.O.W.) and easterly right of way of Maple Drive (50' R.O.W.);  
thence northeasterly along the northerly right of way of East Paces Ferry Road (70' R.O.W.) North 78 degrees 25 minutes 02 seconds East, a distance of 53.00 feet to a point;  
thence northeasterly along said right of way North 78 degrees 25 minutes 02 seconds East, a distance of 53.00 feet to a ½" rebar;  
thence northeasterly along said right of way North 78 degrees 25 minutes 02 seconds East, a distance of 52.54 feet to a ½" rebar;  
said ½" rebar being THE POINT OF BEGINNING.  
thence leaving said right of way North 18 degrees 45 minutes 12 seconds West, a distance of 194.73 feet to a ½" rebar;  
thence South 78 degrees 56 minutes 14 seconds West, a distance of 144.22 feet to a 5/8" rebar on the easterly right of way of Maple Drive (50' R.O.W.);  
thence northwesterly along the easterly right of way of Maple Drive (50' R.O.W.) North 14 degrees 30 minutes 40 seconds West, a distance of 67.50 feet to a ½" rebar;  
thence leaving said right of way North 71 degrees 09 minutes 16 seconds East, a distance of 183.00 feet to a point;  
thence North 71 degrees 22 minutes 51 seconds East, a distance of 47.03 feet to a ¾ inch open top pipe;  
thence South 22 degrees 48 minutes 50 seconds East, a distance of 302.23 feet to a ½ inch rod found on the northly right of way of East Paces Ferry Road;  
thence South 78 degrees 08 minutes 27 seconds West, along the northly right of way of East Paces Ferry Road, a distance of 52.00 feet to a P.K. Nail;  
thence southwesterly along said right of way South 78 degrees 20 minutes 40 seconds West, a distance of 55.70 feet to a point;  
thence southwesterly along said right of way South 78 degrees 28 minutes 19 seconds West, a distance of 53.93 feet to a ½" rebar;  
said ½" rebar being THE POINT OF BEGINNING.  
Said tract or parcel containing 54,406 square feet or 1.25 acres.



RCS# 286  
6/05/06  
4:10 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1069 1070 1071 1072 1073 1074 1075  
06-O-1076 1190 1191 1203 TO ZRB & ZONING  
REFER

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 1  
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
NV Winslow	Y Muller	Y Sheperd	E Borders

MULTIPLE

City Council  
Atlanta, Georgia

**06-O-1799**

AN AMENDED ORDINANCE  
BY: ZONING COMMITTEE

**Z-06-80**  
Date Filed: 7-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **396 Piedmont Avenue, N.E.** be changed from the C-5-C (Central Business Support) District to the C-5-C (Central Business Support) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 50, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

## **CONDITIONS FOR Z-06-80 for 396 Piedmont Avenue, N.E.**

**APPROVAL** conditioned upon a site plan dated 7-10-06 entitled "Renaissance Square" by Niles Bolton Associates, Inc. and marked received by the Bureau of Planning July 11, 2006 and

### **General**

1. These conditions of rezoning shall replace all existing conditions of rezoning for the property located at 396 Piedmont Avenue NE.

### **Definitions:**

2. As used herein, Sidewalk-Level shall be defined as any floor of a building with a finished-floor elevation less than or equal to five feet above the adjacent sidewalk or less than or equal to five feet below the adjacent sidewalk.
3. As used herein, Storefront Treatment shall be a Sidewalk Level design that:
  - a. Does not provide a length of façade without intervening fenestration or entryway exceeding 20 feet unless required by the Bureau of Buildings.
  - b. Provides fenestration for a minimum of 75 percent of the length of a Sidewalk Level facade:
    - i. Beginning at a point not more than three feet above the sidewalk, to a height no less than ten feet above the sidewalk or,
    - ii. Beginning at the finished floor elevation to a height no less than ten feet above the finished floor elevation when the finished floor elevation is three or more feet above the sidewalk or
    - iii. Beginning at a point not more than sidewalk level, to a height no less than ten feet above the finished floor elevation when the finished floor elevation is below the sidewalk.
  - d. Does not utilize painted glass, reflective glass or other similarly treated or opaque windows. Entrances may be counted towards fenestration requirements.
  - e. Includes a minimum Sidewalk Level floor-to-floor height of 14 feet.
4. As used herein, Residential Treatment shall be a Sidewalk Level design that:
  - a. Provides doors and vertical windows arranged horizontally at the Sidewalk Level,
  - b. Provides windows for a minimum of 50 percent of the total Sidewalk Level street façade area, with each façade being calculated independently,

### **Relationship of Building to Street**

5. Active uses are required for a minimum depth of 20 feet along the required sidewalk or provided supplemental zone, except at ingress and egress points into parking structures or loading areas. Active uses are limited to retail, office, residential, restaurant, museum, gallery, auditorium, library, hotel lobby, or cultural facility uses; all shall be serviced by plumbing, heating, and electricity.
6. Buildings shall provide either a Storefront Treatment or Residential Treatment at Sidewalk Level and adjacent to a public street.
7. A street address number shall be located directly above or beside primary building and business establishment entrances along the required sidewalk, shall be clearly visible from the sidewalk, and shall have a minimum height of six inches.



8. The primary pedestrian entrance to all sidewalk level uses:
  - a. Shall face, be visible from, and be directly accessible from the sidewalk.
  - b. Shall remain unlocked during business hours for non-residential uses.
  - c. Shall be at grade with the closest portion of the adjacent required sidewalk for non-residential uses.
  - d. The use of fire-escape, entrance-only and exit-only doors as primary entrances is explicitly prohibited.
9. Buildings with residential uses within ten vertical feet of the required sidewalk shall meet the following regulations:
  - a. All pedestrian entrances shall be linked to the required sidewalk with a pedestrian walkway a minimum of four feet wide.
  - b. Sidewalk level residential units adjacent to the sidewalk shall have individual entrances to such units directly accessible from the sidewalk and shall open directly onto the adjacent sidewalk, park, plaza, terrace or porch adjacent to the sidewalk. All pedestrian walkways providing such access shall be perpendicular to the street, unless topography prohibits, and shall be permitted to share said walkway with two adjacent units.
  - c. Said buildings shall have porches, stoops or wheelchair access at each sidewalk level entrance.
10. Fences and Walls
  - a. Fencing shall be permitted between the building and the adjacent street only when:
    - i. Located adjacent to sidewalk level residential units, or
    - ii. Used to separate authorized outdoor dining from the required sidewalk.
  - b. Between the building and the adjacent street:
    - i. Fences, including fences surrounding outdoor dining, shall not exceed 36 inches in height.
    - ii. Any railings or enclosures around stoops, stairs, or porches shall be 50 percent open balustrades or railings.
    - iii. Walls shall not exceed 24 inches in height, except along Piedmont Avenue where existing topography requires a retaining wall of greater height.

**Sidewalks & Supplemental Zones:**

11. Sidewalks shall be provided along all streets and shall include:
  - a. A minimum five foot street furniture and tree planting zone adjacent to the curb. Said zone shall be planted with street trees a maximum of 50 feet on-center. All trees shall be a minimum of caliper of three inches measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of seven feet. Trees shall have a minimum planting area of 40 square feet and shall not be planted in grates.
  - b. A minimum ten foot sidewalk clear zone, which shall be unobstructed by any nonpermanent element for a minimum height of eight feet.

12. Decorative pedestrian lights, where installed, shall be placed a maximum of 50 feet on center and spaced equal distance between required trees. Where installed, said lights shall be located within the street furniture and tree planting zone. All said lights shall be Atlanta Type "C" as approved by the Director of the Bureau of Planning.
13. Outdoor dining and potted plants may encroach a maximum of two (2) feet into the sidewalk clear zone, subject to the following:
  - a. No element shall be attached to the required sidewalk in any way;
  - b. Outdoor dining may not be separated from the rest of the sidewalk with planters, fencing or similar barriers; and
  - c. Outdoor dining is permitted within the street furniture and tree planting zone, subject to subsections a and b above.
14. A minimum supplemental zone of five feet shall be provided between the sidewalk and the building along Piedmont Avenue. Said zone may be paved or landscaped. Retail display windows or residential bays may project into the supplemental zone but shall not cover more than two-thirds of its horizontal area.

Dumpsters and Mechanical Features:

15. Dumpsters shall be screened so as not to be visible from any adjacent sidewalk. In addition, all external dumpsters shall be enclosed with opaque walls eight feet in height.
16. Building mechanical and accessory features:
  - a. Shall be located to the side or rear of the principal structure and shall not be visible from the required sidewalk.
  - b. When located on rooftops shall be incorporated in the design of the building and screened with materials similar to the building.
  - c. Shall not be permitted within the Supplemental Zone.
  - d. Loading docks entrances shall be screened with automatic doors so that said docks and related activities are not visible from the adjacent required sidewalk

c: Steve Cover, Commissioner, DPCD  
Alice Wakefield, Director, Bureau of Planning

RCS# 481  
8/21/06  
4:05 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1790 THRU 06-O-1811 (1-22)

REFER

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

City Council  
Atlanta, Georgia

**06-0-1799**

**Z-06-80**

Date Filed: 7-11-06

AN ORDINANCE

BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **396 Piedmont Avenue, N.E.** be changed from the C-5-C (Central Business Support) District to the C-5-C (Central Business Support) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 50, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

EXHIBIT "A"

TRACT A:

ALL THAT TRACT or parcel of land lying and being in Land Lot 50 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel being more particularly described as follows:

To find the Point of Beginning, commence at a point at the intersection of the Easterly Right-of-Way line of Courtland Avenue (70 foot right of way per Ga. D.O.T. Project No. I-75-2(BB)) and the Northerly right-of-way line of Ralph McGill Boulevard (66 foot right of way per Ga. D.O.T. Project No. I-75-2(BB)) if said right-of-way lines were extended to form an intersection instead of a miter.

Thence North 01 degrees 02 minutes 25 seconds East for a distance of 53.90 feet along the Easterly right-of-way extension of Courtland Avenue to a concrete right-of-way monument found.

Thence North 01 degrees 02 minutes 25 seconds East for a distance of 123.19 feet along the Easterly right-of-way line of Courtland Avenue to a 1/2" iron pin set, said 1/2" iron pin set being the Point of Beginning.

Thence North 01 degrees 02 minutes 25 seconds East for a distance of 183.65 feet continuing along the Easterly right-of-way line of Courtland Avenue to a drill hole set in concrete at the intersection of the Southerly right-of-way line of Currier Street (50-foot right of way).

Thence North 88 degrees 19 minutes 10 seconds East for a distance of 230.29 feet leaving the Easterly right-of-way line of Courtland Avenue and along the Southerly right-of-way line of Currier Street to a pk nail set.

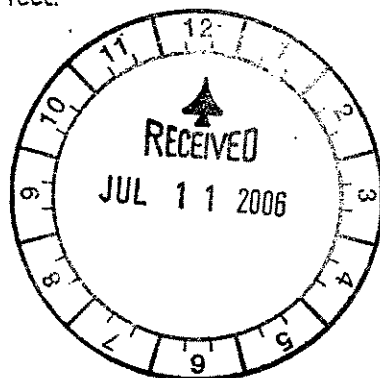
Thence South 00 degrees 24 minutes 17 seconds West for a distance of 22.31 feet leaving the Southerly right-of-way line of Currier Street to a pk nail set.

Thence North 89 degrees 12 minutes 28 seconds West for a distance of 80.92 feet to a point;

Thence South 00 degrees 49 minutes 11 seconds West for a Distance of 171.35 feet to a point.

Thence North 89 degrees 10 minutes 42 seconds West for a distance of 150.02 feet to a 1/2" iron pin set on the Easterly right-of-way line of Courtland Avenue, said 1/2" iron pin set being the Point of beginning.

Said tract or parcel contains 0.5803 acres, or 29,635 square feet.



Tract B:

ALL THAT TRACT or parcel of land lying and being in Land Lot 50 of the 14th Land District, City of Atlanta, Fulton County, Georgia, said tract or parcel being more particularly described as follows:

To find the Point of Beginning, commence at a point at the intersection of the Easterly Right-of-Way line of Courtland Avenue (70-foot right of way per Ga. D.O.T. Project No. 1-75-2(88)) and the Northerly right-of-way line of Ralph McGill Boulevard (66 foot right of way per Ga. D.O.T. Project No. 1-75-2(88)) if said right-of-way lines were extended to form an intersection instead of a miter.

Thence South 84 degrees 19 minutes 36 seconds East for a distance of 47.79 feet along the Northerly right-of-way line extension of Ralph McGill Boulevard to a concrete right-of-way monument found.

Thence South 84 degrees 19 minutes 36 seconds East for a distance of 263.67 feet along the Northerly right-of-way line of Ralph McGill Boulevard to a drill hole set in concrete, said drill hole set in concrete being the Point of beginning.

Thence North 00 degrees 49 minutes 11 seconds East for a distance of 100.40 feet leaving the Northerly right-of-way line of Ralph McGill Boulevard to a 1/2" iron-pin set.

Thence North 89 degrees 03 minutes 07 seconds West for a distance of 3.68 feet to a 1/2" iron pin set.

Thence North 00 degrees 49 minutes 11 seconds East for a distance of 49.24 feet to a 1/2" iron pin set;

Thence North 89 degrees 03 minutes 07 seconds West for a distance of 29.89 feet to a 1/2" iron pin set.

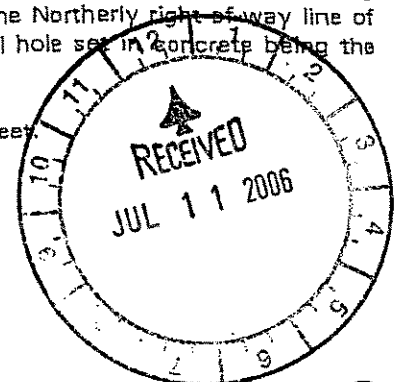
Thence North 00 degrees 49 minutes 11 seconds East for a distance of 249.40 feet to a pk nail set on the Southerly right-of-way line of Currier Street.

Thence North 88 degrees 19 minutes 10 seconds East for a distance of 277.89 feet along the Southerly right-of-way line of Currier Street to a drill hole set in concrete at the intersection of the Westerly right-of-way line of Piedmont Avenue (80-foot right-of-way).

Thence South 01 degrees 04 minutes 21 seconds West for a distance of 431.81 feet leaving the Southerly right-of-way line of Currier Street and along the Westerly right-of-way line of Piedmont Avenue to a drill set in concrete at the intersection of the Northerly right-of-way line of Ralph McGill Boulevard.

Thence North 84 degrees 19 minutes 36 seconds West for a distance of 243.03 feet leaving the Westerly right-of-way line of Piedmont Avenue and along the Northerly right-of-way line of Ralph McGill Boulevard to a drill hold set in concrete, said drill hole set in concrete being the Point of Beginning.

Said tract or parcel contains 2.5198 acres or 109,761 square feet.



TOGETHER WITH those easement rights arising under that certain Declaration of Condominium for Renaissance Square Master Condominium by LNR Renaissance Square, LLC, a Georgia limited liability company, dated November 18, 1999, filed for record November 30, 1999 at 4:27 p.m., recorded in Deed Book 28063, Page 6, Records of Fulton County, Georgia; as re-recorded December 6, 1999 at 3:23 p.m., recorded in Deed Book 28104, Page 128, aforesaid Records; as amended by that certain First Amendment to Declaration of Condominium for Renaissance Square Master Condominium by and between LNR Renaissance Square, LLC, a Georgia limited liability company and Renaissance Lofts Condominium Association, Inc., a Georgia non-profit corporation, dated October 25, 2000, filed for record October 31, 2000 at 2:18 p.m., recorded in Deed Book 29624, Page 94, aforesaid Records.

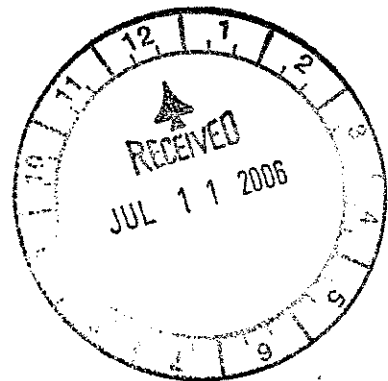
ALSO TOGETHER WITH those easement rights arising under that certain Declaration of Easements and Parking Rights by Leisure Colony Management Corp., a Florida corporation, dated as of April 30, 1999, filed for record May 28, 1999 at 3:14 p.m., recorded in Deed Book 26768, Page 25, aforesaid Records. (Appurtenant to Tract A only)

#### TRACT C:

All area above elevation 992.2 feet as referenced to National Geodetic Survey Monument "Simpson" whose published elevation is 1016.08 feet (North American Vertical Datum 1988) and being contained within the area formed by the boundary lines more particularly described as follows:

All that tract or parcel of land lying and being in Land Lot 50 of the 14<sup>th</sup> District, City of Atlanta, Fulton County, Georgia, said tract or parcel being more particularly described as follows:

To find the POINT OF BEGINNING, commence at a point at the intersection of the easterly right-of-way line of Courtland Avenue (70 ft w/w per Ga. D.O.T. Project No. I-75-2(88)) and the northerly right-of-way line of Ralph McGill Boulevard (66 ft w/w per Ga. D.O.T. Project No. I-75-2(88)) if said right-of-way lines were extended to form an intersection instead of a miting; THENCE South 84 degrees 19 minutes 36 seconds East for a distance of 47.79 feet along the Northerly right-of-way line of extension of Ralph McGill Boulevard to a concrete right-of-way monument found; THENCE South 84 degrees 19 minutes 36 seconds East for a distance of 263.67 feet along the Northerly right-of-way line of Ralph McGill Boulevard to a drill hole set in concrete; THENCE North 00 degrees 49 minutes 11 seconds East for a distance of 23.42 feet leaving the Northerly right-of-way line of Ralph McGill Boulevard to a 1/2" iron pin set; THENCE North 89 degrees 03 minutes 07 seconds West for a distance of 33.57 feet to a point, said point being the Point of Beginning; THENCE South 00 degrees 49 minutes 11 seconds West for a distance of 22.50 feet to a point; THENCE North 89 degrees 03 minutes 07 seconds West for a distance of 125.08 feet to a point; THENCE North 00 degrees 49 minutes 11 seconds East for a distance of 88.87 feet to a point; THENCE South 88 degrees 59 minutes 03 seconds East for a distance of 126.08 feet to a 1/2" iron pin set; THENCE South 00 degrees 49 minutes 11 seconds West for a distance of 66.23 feet to a point, said point being the Point of Beginning. Said tract or parcel contains 0.257 acres or 11,195 square feet.



2-06-80

A SUBSTITUTE ORDINANCE BY:  
ZONING COMMITTEE

**AN ORDINANCE TO REZONE CERTAIN PROPERTIES WITHIN THE MEMORIAL DRIVE CORRIDOR IN THE REYNOLDSTOWN NEIGHBORHOOD FROM THE R-5 (TWO-FAMILY RESIDENTIAL), C-1 (COMMUNITY BUSINESS), C-1-C (COMMUNITY BUSINESS-CONDITIONAL), C-2 (COMMERCIAL SERVICE), I-1 (LIGHT INDUSTRIAL), AND I-2 (HEAVY INDUSTRIAL) DISTRICTS TO THE MR-3 (MULTI-FAMILY RESIDENTIAL), MR-3-C (MULTI-FAMILY RESIDENTIAL - CONDITIONAL), MRC-3-C (MIXED RESIDENTIAL COMMERCIAL - CONDITIONAL), C-2-C (COMMERCIAL SERVICE- CONDITIONAL), I-1-C (LIGHT INDUSTRIAL - CONDITIONAL), AND I-2-C (HEAVY INDUSTRIAL - CONDITIONAL) DISTRICTS AND FOR OTHER PURPOSES.**

**NPU-N**

**COUNCIL DISTRICT 5**

**WHEREAS**, the Memorial Drive-MLK Drive Revitalization Plan was adopted by City Council on October 1, 2001, and approved by the Mayor on October 9, 2001; and

**WHEREAS**, the Beltline Redevelopment Plan was adopted by City Council on November 7, 2005 and approved by the Mayor on November 9, 2005; and

**WHEREAS**, recommendations from the Memorial Drive-MLK Drive Revitalization Plan and Beltline Redevelopment Plan should be implemented through the rezoning of the properties within the corridor; and

**WHEREAS**, the need to preserve historic buildings within the district by facilitating adaptive re-use and rehabilitation is necessary;

**WHEREAS**, the Reynoldstown Civic Improvement League has requested the City to rezone the Memorial Drive corridor to implement the recommendations from the Memorial Drive-MLK Drive Revitalization Plan and the Beltline Redevelopment Plan; and

**WHEREAS**, the official zoning maps should be amended to include the properties along the Memorial Drive corridor as shown on "Attachment 'A'" and "Attachment 'B'".

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:**

**SECTION 1:** That the 1982 City of Atlanta Zoning Ordinance be amended and the official zoning maps established in connection therewith be changed to include the



properties located along the Memorial Drive Corridor with the designations as shown on "Attachment A" and "Attachment 'B'".

SECTION 2: This amendment is approved under the provisions of Section 16-02.003 of the City of Atlanta Zoning Ordinance entitled "Conditional Development" as identified with the use of the suffix "C" after the district designation. The Director of the Bureau of Buildings shall issue building permits for the development of the properties with said "Conditional Development" zoning district designation only in compliance with the following conditions:

- 1) For the property located at 1043 Memorial Drive in the MRC-3-C designation:
  - a. For all uses: Floor Area Ratio (FAR) shall not exceed one (1) times the net lot area or gross land area.
  - b. FAR bonuses are not permitted.
  - c. Maximum Building Height: 50 feet.
  - d. Minimum Setback Requirements:
    - i. Along Memorial Drive: 60 feet minimum, as measured from the curb.
    - ii. Along Stovall Street: 40 feet minimum, as measured from the curb.
  - e. The following uses shall require a Special Use Permit:
    - i. Commercial greenhouses.
    - ii. Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional or residential uses are provided for a minimum depth of 20 feet from any building façade along the public sidewalk.
    - iii. Nursing homes, assisted living facilities, personal care homes and rehabilitation centers.
  - f. The following uses are prohibited:
    - i. Mortuary and funeral homes.
    - ii. New and used car sales, including motorized vehicles such as mopeds and motorcycles.
    - iii. Park-for-hire surface parking lots.
    - iv. Automobile service stations, car washes.
    - v. Park-for-hire parking decks.
    - vi. Repair garages, paint and body shops.
    - vii. Security storage centers greater than 7,500 square feet in floor area.
    - viii. Truck stops.
- 2) For the property located at 904 Memorial Drive in the MRC-3-C designation:

As a part of any redevelopment plan that consideration shall be given to the preservation, adaptive use and incorporation of (i.e. associated economic incentives) the Atlanta and West Point Railroad Depot at said location.

- 3) For properties in the MRC-3-C designation:
- a. Portions of any structure adjacent to Northern Avenue which are less than 30 feet from the buildable area adjacent to the required sidewalk shall be limited to residential uses and its customarily accessory and clearly incidental uses and structures.
  - b. Maximum permitted floor areas without bonuses:
    - i. For non-residential uses: Floor Area Ratio (FAR) shall not exceed one (1) times the net lot area or gross land area.
    - ii. For developments that combine residential and non-residential uses: Floor Area Ratio (FAR) shall not exceed three (3.0) times the net lot area, but not greater than the maximum floor areas permitted of each.
  - b. Maximum floor area with bonuses: Under no circumstances shall the floor area of any development with bonuses exceed an amount equal to three and one-half (3.5) times gross lot area.
    - i. Affordable Housing Bonus: Developments containing residential uses shall be permitted only a floor area bonus of one-half (0.5) times net lot area or gross land area, with the provision that the minimum percentage of affordable units provided shall meet the MRC district requirements. In addition to the minimum percentage requirements for the number of units, the size of each affordable unit shall not be smaller than the smallest unit for each unit type in the overall development.
    - ii. The Open Space Streets bonus, the Ground-floor Commercial bonus, and the Civic bonus shall not be permitted.
  - c. Maximum Building Height:
    - i. Any structure adjacent to Northern Avenue which is less than 30 feet from the buildable area adjacent to the required sidewalk along Northern Avenue shall be less than 40 feet in height. The height of any building or portion of a building beyond 30 feet may extend up to maximum building height of 76 feet.
    - ii. Except as provided in part (i) above, the maximum building height in other areas shall be 76 feet.
  - d. The following uses shall be permitted with the following conditions:
    - i. New and used car sales, including motorized vehicles such as mopeds and motorcycles, are permitted only when all services associated with these uses, including storing of cars, shall be conducted within an enclosed building.
    - ii. Park for hire parking decks are permitted with the following conditions:
      - 1. A maximum height of 36 feet.
      - 2. Active uses shall be required at all street fronting sidewalk level facades except at ingress and egress points into parking structures or loading areas.
    - iii. Repair garages, paint and body shops (including welding shops) are permitted only when all services associated with these uses, including storing of cars, shall be conducted within an enclosed building.

- e. The following uses shall require a Special Use Permit:
    - i. Commercial greenhouses.
    - ii. Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional or residential uses are provided for a minimum depth of 20 feet from any building façade along the public sidewalk.
    - iii. Nursing homes, assisted living facilities, personal care homes and rehabilitation centers.
  - f. The following uses are prohibited:
    - i. Automobile service stations, car washes.
    - ii. Mortuary and funeral homes.
    - iii. Park-for-hire surface parking lots.
    - iv. Security storage centers greater than 7,500 square feet in floor area.
    - v. Truck stops.
- 4) For properties in the MR-3-C district designation:
- a. Portions of any structure adjacent to Northern Avenue which are less than 30 feet from the buildable area adjacent to the required sidewalk shall be limited to residential uses and its customarily accessory and clearly incidental uses and structures.
  - b. Any structure adjacent to either Northern Avenue or Stovall Street which is less than 30 feet from the buildable area adjacent to the required sidewalk along either Northern Avenue or Stovall Street shall be less than 40 feet in height. The height of any building or portion of a building beyond 30 feet may extend up to maximum building height of 76 feet.
- 5) For the property located at 780 Memorial Drive in the C-2-C designation:
- a. Building permits involving demolition of existing structures, new construction, or alterations to the building facades shall not be issued without Special Administrative Permit approval from the Director of the Bureau of Planning.
  - b. For all non-residential uses and lodging uses: Floor Area Ratio (FAR) shall not exceed one (1) times the net lot area.
  - c. Maximum Building Height: 76 feet.
  - d. Drive-through service windows, drive-in facilities and associated queuing areas shall not be located between any building and the street.
  - e. The following uses shall require a Special Use Permit:
    - i. Churches, synagogues, temples, mosques and other religious worship facilities.
    - ii. Individual Retail establishments, including those with sales or display lots or storage lots, greater than 10,000 square feet of floor area.
  - f. The following uses are prohibited:
    - i. Commercial greenhouses.

- ii. Helicopter landing facilities or pickup or delivery stations.
- iii. Mortuary and funeral homes.
- iv. Park-for-hire facilities.
- v. Printing shops.
- vi. Plumbing, tinsmithing, or cabinet shops, general service and repair establishments.
- vii. Security storage centers.
- viii. Temporary storage centers.
- g. Public sidewalks shall be located along all public and private streets and shall have minimum widths as specified herein. Sidewalks shall consist of two zones: A street furniture and tree planting zone and a clear zone. The following regulations shall apply to all public sidewalks:
  - i. Street furniture and tree planting zone requirements. The street furniture and tree planting zone shall have a minimum width of five feet. Said zone shall be continuous and located immediately adjacent to the curb. In addition to the required planting of trees, this zone may also be used for the placement of street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility and as approved by the Director of the Bureau of Planning.
  - ii. On-street parking may be placed in the street furniture zone, provided that street trees are installed in bulb-outs located at intervals within the area used for on-street parking, as approved by the Director of the Bureau of Planning.
  - iii. Clear zone requirements. Said zone shall be located immediately contiguous to the street furniture and tree planting zone and shall be continuous. Said zone shall be hardscape, and shall be unobstructed for a minimum height of eight feet and for a minimum width as specified below, by any permanent or nonpermanent element.
    - 1. Along Memorial Drive: Minimum width of 10 feet.
    - 2. Along all other streets: Minimum width of six feet.
  - iv. Street tree planting requirements. Street trees are required and shall be planted in the ground a maximum distance of 30 feet on center within the street furniture and tree planting zone and spaced equal distance between street lights. All newly planted trees shall be a minimum of three inches in caliper measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of seven feet. Trees shall have a minimum planting area of 40 square feet. Said planting area shall also be planted with evergreen ground cover such as mondo grass or liriope spicata except where tree grates are installed. All plantings, planting replacement, and planting removal shall be approved by the city arborist. The area between required plantings shall either be planted with

- evergreen ground cover such as mondo grass or liriop spicata or shall be paved as approved by the Director of the Bureau of Planning. Variations may be granted by the Director of the Bureau of Planning, subject to constraints such as overhead or underground utilities and Georgia Department of Transportation requirements along state routes.
- v. Paving. All paving within the street furniture and tree planting zone that is not standard poured concrete, shall be a type specified by the Director of the Bureau of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way.
  - vi. Nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede visibility within visibility triangles at street intersections between the heights of two and one-half feet and eight feet above grade. See subsection 16-28.008(9), Visibility at intersections.
  - vii. No awning or canopy shall encroach beyond the clear zone.
  - viii. Decorative pedestrian lights, where installed, shall be placed a maximum distance of 60 feet on-center and spaced equal distance between required trees along all streets unless otherwise approved by the Director of the Bureau of Planning. Where installed, said lights shall be located within either the street furniture and tree planting zone or the supplemental zone. All said lights shall be Atlanta Type "C" as approved by the planning bureau.
  - ix. Trash receptacles or similar elements, where installed, shall be a type specified by the Director of the Bureau of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way and shall be placed within the street furniture and tree planting zone.
  - h. Fences and walls shall meet the following regulations:
    - i. Fences located between the primary building and a public or private street shall not exceed six feet in height.
    - ii. No walls, except retaining walls, shall be located between the street and any building, with the exception of screening for authorized off-street loading areas
    - iii. No barbed wire, razor wire or similar elements shall be visible from any public plaza, sidewalk-level outdoor dining area or public or private street.
  - i. Pedestrian entrances: The primary pedestrian entrance to access all sidewalk-level uses with public or private street frontage shall face and be visible from the public or private street when located adjacent to such street. Entrances shall be directly accessible from the sidewalk along such street.
  - j. Loading areas, loading dock entrances and building mechanical and accessory features:
    - i. Dumpsters and loading areas shall be paved with impervious materials and shall be screened so as not to be visible from any public plaza,

- ground level or sidewalk level outdoor dining area, public sidewalk or public right-of way.
- ii. Loading dock entrances shall be screened so that loading docks are not visible from the public right-of-way.
  - iii. Building mechanical and accessory features:
    - 1. Shall be located to the side, rear or on the rooftop of the principal structure and shall be in the location of least visibility from the public right-of-way. Screening with plant or fence materials shall be required if the equipment is otherwise visible from the public right-of-way.
    - 2. When located on rooftops shall be incorporated in the design of the building and screened with building materials similar to the building.
  - k. Driveway curb cut requirements:
    - i. All sidewalk paving materials shall be continued across any intervening driveway curb cut at the same prevailing grade and cross slope as on the adjacent sidewalk clear zone.
    - ii. Shall have a band of textured concrete adjacent to the street which is in-line with and equal in width to the street furniture zone and shall have a textured band of concrete adjacent to the sidewalk which is in-line with the supplemental zone and a minimum width of five feet from the sidewalk.
    - iii. Shall be a maximum of 36 feet wide for two-way entrances and 18 feet wide for one-way entrances, unless otherwise permitted by the Commissioner of Public Works.
    - iv. Maximum permitted number of driveway curb cuts for each development per street frontage, subject to the provisions of Section 16-25.002(3):
      - 1. Developments with street frontage less than 300 feet or less in length: one;
      - 2. Developments with street frontage greater than 300 feet in length: two;
      - 3. Two curb cuts serving two one-way driveways shall only be counted as one curb cut.
  - l. Parking structures: shall conceal automobiles from visibility from any public park, right-of-way or private street, and shall have the appearance of a horizontal storied building on all levels.
  - m. All lighting in parking decks and surface parking lots shall reduce light spillage outside of property by providing cut-off luminaries which have a maximum 90 degree illumination. Lighting within parking decks shall not contain unshielded internal light bulbs that are visible from any public park, right-of-way or street.
  - n. Off-street parking requirements:
    - i. All developments shall have walkways a minimum width of four feet connecting ground-level parking to the public sidewalks and to all building entrances.
    - ii. Surface Parking Lot Landscaping: The requirements of City of Atlanta Code of Ordinances, Chapter 158 Vegetation, Article II Tree Protection,

Section 30 Parking Lot Requirements shall apply except as modified as follows:

1. Said parking lot landscaping requirements shall apply to all lots regardless of size;
  2. All parking bays shall be terminated with a landscaped strip a minimum width of five feet and equal to the length of the parking bay.
  3. All required landscaped areas shall be planted with evergreen groundcover or shrubs with a maximum height of 30 inches; and
  4. All landscaped buffer areas and strips along sidewalks, drives, private streets and public rights of way shall have a minimum of one tree with a minimum caliper of two and one-half inches.
- 6) For properties in the I-1-C and I-2-C district designation:
- a. Building permits involving demolition of existing structures, new construction, or alterations to the building facades shall not be issued without Special Administrative Permit approval from the Director of the Bureau of Planning.
  - b. Maximum Building Height: 76 feet.
  - c. Drive-through service windows, drive-in facilities and associated queuing areas shall not be located between any building and the street.
  - d. The following uses shall be permitted with the following conditions:
    - i. Park for hire parking decks are permitted with the following conditions:
      1. A maximum height of 36 feet.
      2. Active uses shall be required at all street fronting sidewalk level facades except at ingress and egress points into parking structures or loading areas. Sidewalk level shall be defined as having a habitable space with a finished floor not more than 5 feet above or below the adjacent sidewalk. Active uses shall be serviced by plumbing, heating, and electricity and are limited to retail, eating and drinking establishments, office, hotel lobby, or community center uses, and shall not include parking, non-residential storage areas, driveway or queuing lanes parallel to the adjacent street. Minimum active uses from the street facing building façade shall be provided as follows:
        - a. The minimum depth shall be 20 feet.
        - b. The minimum sidewalk-level floor to ceiling height shall be 14 feet.
    - ii. Repair garages, paint and body shops (including welding shops) are permitted only when all services associated with these uses, including storing of cars, shall be conducted within an enclosed building.
    - iii. Sales and leasing agencies for new and used passenger automobiles and commercial vehicles only when all services associated with these uses, including storing of cars, shall be conducted within an enclosed building.
  - e. The following uses shall require a Special Use Permit:
    - i. Broadcasting towers, line of sight relay devices for telephonic, radio or television communications when located 200 feet or more from any off-site residential districts or residential use not located in an industrial district

- and when such towers are greater than 200 feet in height, when located a distance which is greater than or equal to the height of the tower or device from a residential district or residential use which is not in an industrial district.
- ii. Churches, synagogues, temples, mosques and other religious worship facilities.
  - iii. Hotels/Motels.
  - iv. Individual Retail establishments, including those with sales or display lots or storage lots, greater than 10,000 square feet of floor area.
- f. The following uses are prohibited as applicable per district:
- i. Acid manufacture.
  - ii. Adult businesses as defined in section 16-29.001(3).
  - iii. Asphalt plants.
  - iv. Cemetery and mausoleum.
  - v. Concrete plants, cement plants, plants for the manufacture of lime, gypsum or plaster of Paris.
  - vi. Compost facility.
  - vii. Distillation of bones and glue manufacture.
  - viii. Explosive manufactures or storage.
  - ix. Extraction or removal of sand, gravel, topsoil, clay, dirt, or other natural resources.
  - x. Fat rendering and fertilizer manufacture.
  - xi. Garbage, oral or dead animals, reduction or dumping.
  - xii. Hazardous toxic materials, including radioactive materials.
  - xiii. Materials recovery facility.
  - xiv. Municipal solid waste disposal facility.
  - xv. Paper and pulp manufacture.
  - xvi. Park-for-hire surface parking lots.
  - xvii. Petroleum, or its products, refining of.
  - xviii. Processing operation facility.
  - xix. Solid waste handling facility.
  - xx. Sanitary landfills.
  - xxi. Service station; car washes.
  - xxii. Smelting of tin, copper, zinc or iron ores.
  - xxiii. Terminals, freight, rail bus or truck, when erected or operated other than by a governmental agency.
  - xxiv. Truck stops.
  - xxv. Yards for storage of contractor's equipment; sand and gravel; lumber, junkyards, salvage yards (including automobile), scrap metal processors and similar operations.
  - xxvi. General advertising signs.
- g. Public sidewalks shall be located along all public and private streets and shall have minimum widths as specified herein. Sidewalks shall consist of two



zones: A street furniture and tree planting zone and a clear zone. The following regulations shall apply to all public sidewalks:

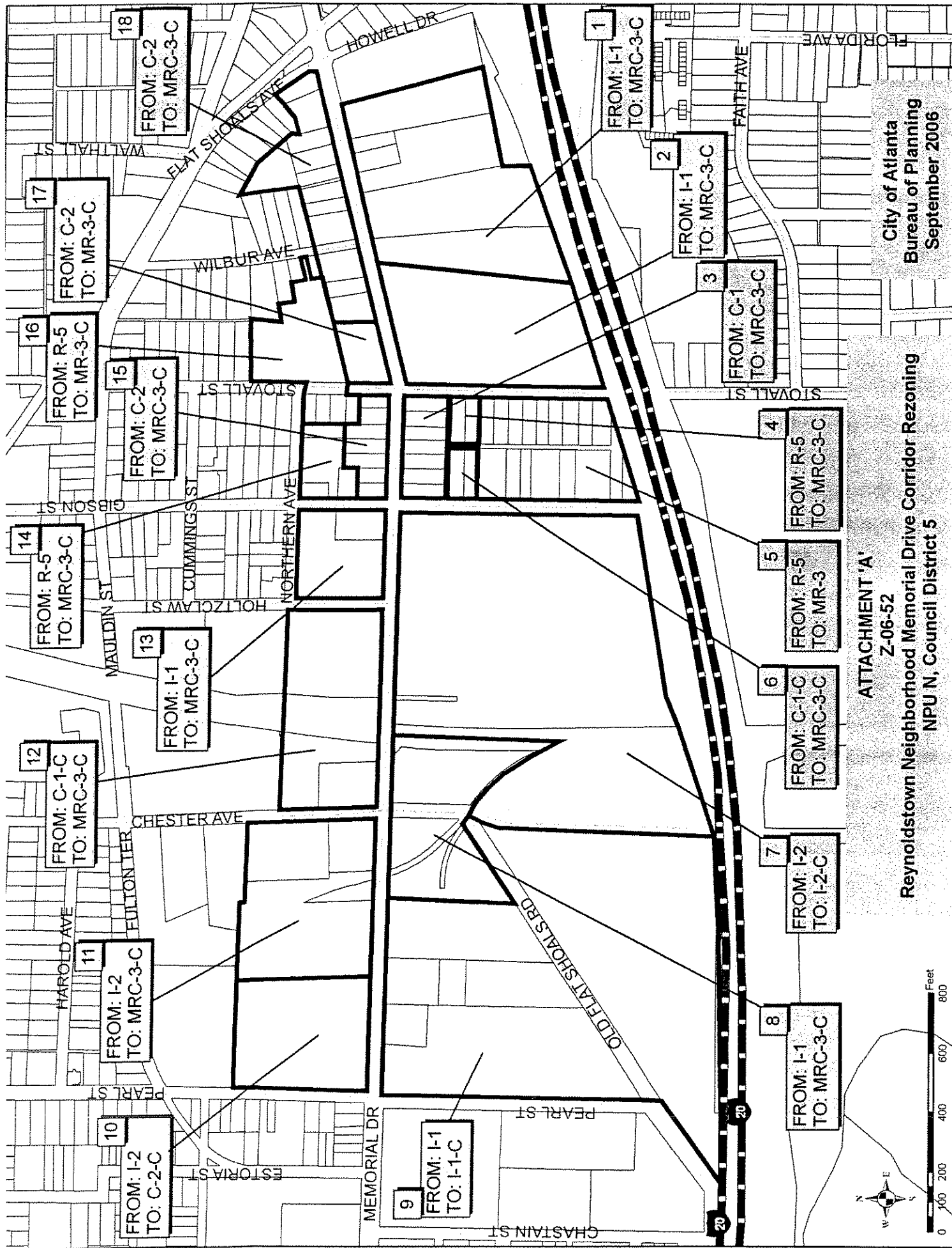
- i. Street furniture and tree planting zone requirements. The street furniture and tree planting zone shall have a minimum width of five feet. Said zone shall be continuous and located immediately adjacent to the curb. In addition to the required planting of trees, this zone may also be used for the placement of street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility and as approved by the Director of the Bureau of Planning.
- ii. On-street parking may be placed in the street furniture zone, provided that street trees are installed in bulb-outs located at intervals within the area used for on-street parking, as approved by the Director of the Bureau of Planning.
- iii. Clear zone requirements. Said zone shall be located immediately contiguous to the street furniture and tree planting zone and shall be continuous. Said zone shall be hardscape, and shall be unobstructed for a minimum height of eight feet and for a minimum width as specified below, by any permanent or nonpermanent element.
  1. Along Memorial Drive and Bill Kennedy Way: Minimum width of 10 feet.
  2. Along all other streets: Minimum width of six feet.
- iv. Street tree planting requirements. Street trees are required and shall be planted in the ground a maximum distance of 30 feet on center within the street furniture and tree planting zone and spaced equal distance between street lights. All newly planted trees shall be a minimum of three inches in caliper measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of seven feet. Trees shall have a minimum planting area of 40 square feet. Said planting area shall also be planted with evergreen ground cover such as mondo grass or liriope spicata except where tree grates are installed. All plantings, planting replacement, and planting removal shall be approved by the city arborist. The area between required plantings shall either be planted with evergreen ground cover such as mondo grass or liriope spicata or shall be paved as approved by the Director of the Bureau of Planning. Variations may be granted by the Director of the Bureau of Planning, subject to constraints such as overhead or underground utilities and Georgia Department of Transportation requirements along state routes.
- v. Paving. All paving within the street furniture and tree planting zone that is not standard poured concrete, shall be a type specified by the Director of the Bureau of Planning in accordance with uniform design standards

- utilized by the Director for placement of such objects in the public right-of-way.
- vi. Nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede visibility within visibility triangles at street intersections between the heights of two and one-half feet and eight feet above grade. See subsection 16-28.008(9), Visibility at intersections.
  - vii. No awning or canopy shall encroach beyond the clear zone.
  - viii. Decorative pedestrian lights, where installed, shall be placed a maximum distance of 60 feet on-center and spaced equal distance between required trees along all streets unless otherwise approved by the Director of the Bureau of Planning. Where installed, said lights shall be located within either the street furniture and tree planting zone or the supplemental zone. All said lights shall be Atlanta Type "C" as approved by the planning bureau.
  - ix. Trash receptacles or similar elements, where installed, shall be a type specified by the Director of the Bureau of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way and shall be placed within the street furniture and tree planting zone.
  - h. Fences and walls shall meet the following regulations:
    - i. Fences located between the primary building and a public or private street shall not exceed six feet in height.
    - ii. No walls, except retaining walls, shall be located between the street and any building, with the exception of screening for authorized off-street loading areas
    - iii. No barbed wire, razor wire or similar elements shall be visible from any public plaza, sidewalk-level outdoor dining area or public or private street.
  - i. Pedestrian entrances: The primary pedestrian entrance to access all sidewalk-level uses with public or private street frontage shall face and be visible from the public or private street when located adjacent to such street. Entrances shall be directly accessible from the sidewalk along such street.
  - j. Loading areas, loading dock entrances and building mechanical and accessory features:
    - i. Dumpsters and loading areas shall be paved with impervious materials and shall be screened so as not to be visible from any public plaza, ground level or sidewalk level outdoor dining area, public sidewalk or public right-of way.
    - ii. Loading dock entrances shall be screened so that loading docks are not visible from the public right-of-way.
    - iii. Building mechanical and accessory features:
      - 1. Shall be located to the side, rear or on the rooftop of the principal structure and shall be in the location of least visibility from the public right-of-way. Screening with plant or fence materials shall be required if the equipment is otherwise visible from the public right-of-way.

2. When located on rooftops shall be incorporated in the design of the building and screened with building materials similar to the building.
- k. Driveway curb cut requirements:
- i. All sidewalk paving materials shall be continued across any intervening driveway curb cut at the same prevailing grade and cross slope as on the adjacent sidewalk clear zone.
  - ii. Shall have a band of textured concrete adjacent to the street which is in-line with and equal in width to the street furniture zone and shall have a textured band of concrete adjacent to the sidewalk which is in-line with the supplemental zone and a minimum width of five feet from the sidewalk.
  - iii. Shall be a maximum of 24 feet wide for two-way entrances and 12 feet wide for one-way entrances, unless otherwise permitted by the Commissioner of Public Works.
  - iv. Maximum permitted number of driveway curb cuts for each development, per street frontage subject to the provisions of Section 16-25.002(3):
    1. Developments with street frontage less than 300 feet or less in length: one;
    2. Developments with street frontage greater than 300 feet in length: two;
    3. Two curb cuts serving two one-way driveways shall only be counted as one curb cut.
- l. Parking structures: shall conceal automobiles from visibility from any public park, right-of-way or private street, and shall have the appearance of a horizontal storied building on all levels.
- m. All lighting in parking decks and surface parking lots shall reduce light spillage outside of property by providing cut-off luminaries which have a maximum 90 degree illumination. Lighting within parking decks shall not contain unshielded internal light bulbs that are visible from any public park, right-of-way or street.
- n. Off-street parking requirements:
- i. All developments shall have walkways a minimum width of four feet connecting ground-level parking to the public sidewalks and to all building entrances.
  - ii. Surface Parking Lot Landscaping: The requirements of City of Atlanta Code of Ordinances, Chapter 158 Vegetation, Article II Tree Protection, Section 30 Parking Lot Requirements shall apply except as modified as follows:
    1. Said parking lot landscaping requirements shall apply to all lots regardless of size;
    2. All parking bays shall be terminated with a landscaped strip a minimum width of five feet and equal to the length of the parking bay.
    3. All required landscaped areas shall be planted with evergreen groundcover or shrubs with a maximum height of 30 inches; and

4. All landscaped buffer areas and strips along sidewalks, drives, private streets and public rights of way shall have a minimum of one tree with a minimum caliper of two and one-half inches.

Section 3: That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.



ATTACHMENT 'A'  
 Z-06-52  
 Reynoldstown Neighborhood Memorial Drive Corridor Rezoning  
 NPU N, Council District 5

City of Atlanta  
 Bureau of Planning  
 September 2006

**ATTACHMENT 'B'**  
**Z-06-52**

Area	Address(es)	Zoning From	Zoning To
1	Odd addresses from 1061 Memorial Dr. through 1105 Memorial Dr.	I-1	MRC-3-C
2	1043 Memorial	I-1	MRC-3-C
3	Odd addresses from 985 Memorial Dr. through 999 Memorial Dr.	C-1	MRC-3-C
4	Odd addresses from 309 Stovall St. through 313 Stovall St.	R-5	MRC-3-C
5	Even addresses from 314 Gibson St. through 364 Gibson St. Odd addresses from 317 Stovall St. through 355 Stovall St.	R-5	MR-3
6	985 Memorial Dr. (rear)	C-1-C	MRC-3-C
7	Odd addresses from 905 Memorial Dr. through 949 Memorial Dr. Even addresses from 310 Chester Ave. through 356 Chester Ave.	I-2	I-2-C
8	Odd addresses from 841 Memorial Dr. through 869 Memorial Dr. 313 Chester Ave.	I-1	MRC-3-C
9	Odd addresses from 767 Memorial Dr. through 833 Memorial Dr. 810 Old Flat Shoals Rd. 815 Old Flat Shoals Rd.	I-1	I-1-C
10	780 Memorial Dr.	I-2	C-2-C
11	Even addresses from 824 Memorial Dr. through 846 Memorial Dr. Odd addresses from 269 Chester Ave. through 273 Chester Ave.	I-2	MRC-3-C
12	Even addresses 872 Memorial Dr. through 940 Memorial Dr. 236 Chester Ave.	C-1-C	MRC-3-C
13	Even addresses 948 Memorial Dr. through 968 Memorial Dr. Odd addresses 261 Gibson Ave. through 273 Gibson Ave. Odd addresses 901 Northern Ave. through 957 Northern Ave.	I-1	MRC-3-C
14	272 Gibson Odd addresses 973 Northern Ave. through 999 Northern Ave.	R-5	MRC-3-C
15	Even addresses 974 Memorial Dr. through 1118 Memorial Dr.	C-2	MRC-3-C
16	Odd addresses 241 Stovall Ave through 257 Stovall Ave. 230 Stovall (rear)	R-5	MR-3-C
17	230 Stovall (front)	C-2	MR-3-C
18	Even addresses 1046 Memorial Dr. through 1118 Memorial Dr. Un-named parcel north of addresses 1080, 1082 & 1096 Memorial Dr.	C-2	MRC-3-C

**CITY COUNCIL  
ATLANTA, GEORGIA**

**06-0-1318**

AN ORDINANCE BY:  
ZONING COMMITTEE

**Z-06-52**

**AN ORDINANCE TO REZONE CERTAIN PROPERTIES WITHIN THE MEMORIAL DRIVE CORRIDOR IN THE REYNOLDSTOWN NEIGHBORHOOD FROM THE R-5 (TWO-FAMILY RESIDENTIAL), C-1 (COMMUNITY BUSINESS), C-1-C (COMMUNITY BUSINESS-CONDITIONAL), C-2 (COMMERCIAL SERVICE), I-1 (LIGHT INDUSTRIAL), AND I-2 (HEAVY INDUSTRIAL) DISTRICTS TO THE MR-3 (MULTI-FAMILY RESIDENTIAL), MR-3-C (MULTI-FAMILY RESIDENTIAL - CONDITIONAL), MRC-3-C (MIXED RESIDENTIAL COMMERCIAL - CONDITIONAL), I-1-C (LIGHT INDUSTRIAL - CONDITIONAL), AND I-2-C (HEAVY INDUSTRIAL - CONDITIONAL) DISTRICTS AND FOR OTHER PURPOSES.**

**NPU-N**

**COUNCIL DISTRICT 5**

**WHEREAS**, the Memorial Drive-MLK Drive Revitalization Plan was adopted by City Council on October 1, 2001, and approved by the Mayor on October 9, 2001; and

**WHEREAS**, the Beltline Redevelopment Plan was adopted by City Council on November 7, 2005 and approved by the Mayor on November 9, 2005; and

**WHEREAS**, recommendations from the Memorial Drive-MLK Drive Revitalization Plan and Beltline Redevelopment Plan should be implemented through the rezoning of the properties within the corridor; and

**WHEREAS**, the Reynoldstown Civic Improvement League has requested the City to rezone the Memorial Drive corridor to implement the recommendations from the Memorial Drive-MLK Drive Revitalization Plan and the Beltline Redevelopment Plan; and

**WHEREAS**, the official zoning maps should be amended to include the properties along the Memorial Drive corridor as shown on "Attachment 'A'" and "Attachment 'B'".

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:**

**SECTION 1:** That the 1982 City of Atlanta Zoning Ordinance be amended and the official zoning maps established in connection therewith be changed to include the properties located along the Memorial Drive Corridor with the designations as shown on "Attachment A" and "Attachment B".

SECTION 2: This amendment is approved under the provisions of Section 16-02.003 of the City of Atlanta Zoning Ordinance entitled "Conditional Development" as identified with the use of the suffix "C" after the district designation. The Director of the Bureau of Buildings shall issue building permits for the development of the properties with said "Conditional Development" zoning district designation only in compliance with the following conditions:

- 1) For the property located at 1043 Memorial Drive in the MRC-3-C designation:
  - a. For all uses: Floor Area Ratio (FAR) shall not exceed one (1) times the net lot area or gross land area.
  - b. FAR bonuses are not permitted.
  - c. Maximum Building Height: 50 feet.
  - d. Minimum Setback Requirements:
    - i. Along Memorial Drive: 60 feet minimum, as measured from the curb.
    - ii. Along Stovall Street: 40 feet minimum, as measured from the curb.
  - e. The following uses shall require a Special Use Permit:
    - i. Commercial greenhouses.
    - ii. Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional or residential uses are provided for a minimum depth of 20 feet from any building façade along the public sidewalk.
    - iii. Nursing homes, assisted living facilities, personal care homes and rehabilitation centers.
  - f. The following uses are prohibited:
    - i. Mortuary and funeral homes.
    - ii. New and used car sales, including motorized vehicles such as mopeds and motorcycles.
    - iii. Park-for-hire surface parking lots.
    - iv. Automobile service stations, car washes.
    - v. Park-for-hire parking decks.
    - vi. Repair garages, paint and body shops.
    - vii. Security storage centers greater than 7,500 square feet in floor area.
    - viii. Truck stops.
- 2) For properties in the MRC-3-C designation:
  - a. Portions of any structure adjacent to Northern Avenue which are less than 30 feet from the buildable area adjacent to the required sidewalk shall be limited to residential uses and its customarily accessory and clearly incidental uses and structures.
  - b. Maximum permitted floor areas without bonuses:
    - i. For non-residential uses: Floor Area Ratio (FAR) shall not exceed one (1) times the net lot area or gross land area.



- ii. For developments that combine residential and non-residential uses: Floor Area Ratio (FAR) shall not exceed three (3.0) times the net lot area, but not greater than the maximum floor areas permitted of each.
- b. Maximum floor area with bonuses: Under no circumstances shall the floor area of any development with bonuses exceed an amount equal to three and one-half (3.5) times gross lot area.
  - i. Affordable Housing Bonus: Developments containing residential uses shall be permitted only a floor area bonus of one-half (0.5) times net lot area or gross land area, with the provision that the minimum percentage of affordable units provided shall meet the MRC district requirements. In addition to the minimum percentage requirements for the number of units, the size of each affordable unit shall not be smaller than the smallest unit for each unit type in the overall development.
  - ii. The Open Space Streets bonus, the Ground-floor Commercial bonus, and the Civic bonus shall not be permitted.
- c. Maximum Building Height:
  - i. Any structure adjacent to Northern Avenue which is less than 30 feet from the buildable area adjacent to the required sidewalk along Northern Avenue shall be less than 40 feet in height. The height of any building or portion of a building beyond 30 feet may extend up to maximum building height of 76 feet.
  - ii. Except as provided in part (i) above, the maximum building height in other areas shall be 76 feet.
- d. The following uses shall be permitted with the following conditions:
  - i. New and used car sales, including motorized vehicles such as mopeds and motorcycles, are permitted only when all services associated with these uses, including storing of cars, shall be conducted within an enclosed building.
  - ii. Park for hire parking decks are permitted with the following conditions:
    - 1. A maximum height of 36 feet.
    - 2. Active uses shall be required at all street fronting sidewalk level facades except at ingress and egress points into parking structures or loading areas.
  - iii. Repair garages, paint and body shops (including welding shops) are permitted only when all services associated with these uses, including storing of cars, shall be conducted within an enclosed building.
- e. The following uses shall require a Special Use Permit:
  - i. Commercial greenhouses.
  - ii. Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional or residential uses are provided for a minimum depth of 20 feet from any building façade along the public sidewalk.

- iii. Nursing homes, assisted living facilities, personal care homes and rehabilitation centers.
  - f. The following uses are prohibited:
    - i. Automobile service stations, car washes.
    - ii. Mortuary and funeral homes.
    - iii. Park-for-hire surface parking lots.
    - iv. Security storage centers greater than 7,500 square feet in floor area.
    - v. Truck stops.
- 3) For properties in the MR-3-C district designation:
- a. Portions of any structure adjacent to Northern Avenue which are less than 30 feet from the buildable area adjacent to the required sidewalk shall be limited to residential uses and its customarily accessory and clearly incidental uses and structures.
  - b. Any structure adjacent to either Northern Avenue or Stovall Street which is less than 30 feet from the buildable area adjacent to the required sidewalk along either Northern Avenue or Stovall Street shall be less than 40 feet in height. The height of any building or portion of a building beyond 30 feet may extend up to maximum building height of 76 feet.
- 4) For properties in the I-1-C and I-2-C district designation:
- a. No building permit involving demolition of existing structures, new construction, or alterations to the building facades shall be issued without approval from the Director of the Bureau of Planning.
  - b. Maximum Building Height: 76 feet.
  - c. Drive-through service windows, drive-in facilities and associated queuing areas shall not be located between any building and the street.
  - d. The following uses shall be permitted with the following conditions:
    - i. Park for hire parking decks are permitted with the following conditions:
      - 1. A maximum height of 36 feet.
      - 2. Active uses shall be required at all street fronting sidewalk level facades except at ingress and egress points into parking structures or loading areas. Sidewalk level shall be defined as having a habitable space with a finished floor not more than 5 feet above or below the adjacent sidewalk. Active uses shall be serviced by plumbing, heating, and electricity and are limited to retail, eating and drinking establishments, office, hotel lobby, or community center uses, and shall not include parking, non-residential storage areas, driveway or queuing lanes parallel to the adjacent street. Minimum active uses from the street facing building façade shall be provided as follows:
        - a. The minimum depth shall be 20 feet.
        - b. The minimum sidewalk-level floor to ceiling height shall be 14 feet.
    - ii. Repair garages, paint and body shops (including welding shops) are permitted only when all services associated with these uses, including storing of cars, shall be conducted within an enclosed building.

- iii. Sales and leasing agencies for new and used passenger automobiles and commercial vehicles only when all services associated with these uses, including storing of cars, shall be conducted within an enclosed building.
- e. The following uses shall require a Special Use Permit:
  - i. Broadcasting towers, line of sight relay devices for telephonic, radio or television communications when located 200 feet or more from any off-site residential districts or residential use not located in an industrial district and when such towers are greater than 200 feet in height, when located a distance which is greater than or equal to the height of the tower or device from a residential district or residential use which is not in an industrial district.
  - ii. Churches, synagogues, temples, mosques and other religious worship facilities.
  - iii. Hotels/Motels.
  - iv. Individual Retail establishments, including those with sales or display lots or storage lots, greater than 10,000 square feet of floor area.
- f. The following uses are prohibited as applicable per district:
  - i. Acid manufacture.
  - ii. Adult businesses as defined in section 16-29.001(3).
  - iii. Asphalt plants.
  - iv. Cemetery and mausoleum.
  - v. Concrete plants, cement plants, plants for the manufacture of lime, gypsum or plaster of Paris.
  - vi. Compost facility.
  - vii. Distillation of bones and glue manufacture.
  - viii. Explosive manufactures or storage.
  - ix. Extraction or removal of sand, gravel, topsoil, clay, dirt, or other natural resources.
  - x. Fat rendering and fertilizer manufacture.
  - xi. Garbage, oral or dead animals, reduction or dumping.
  - xii. Hazardous toxic materials, including radioactive materials.
  - xiii. Materials recovery facility.
  - xiv. Municipal solid waste disposal facility.
  - xv. Paper and pulp manufacture.
  - xvi. Park-for-hire surface parking lots.
  - xvii. Petroleum, or its products, refining of.
  - xviii. Processing operation facility.
  - xix. Solid waste handling facility.
  - xx. Sanitary landfills.
  - xxi. Service station; car washes.
  - xxii. Smelting of tin, copper, zinc or iron ores.
  - xxiii. Terminals, freight, rail bus or truck, when erected or operated other than by a governmental agency.
  - xxiv. Truck stops.

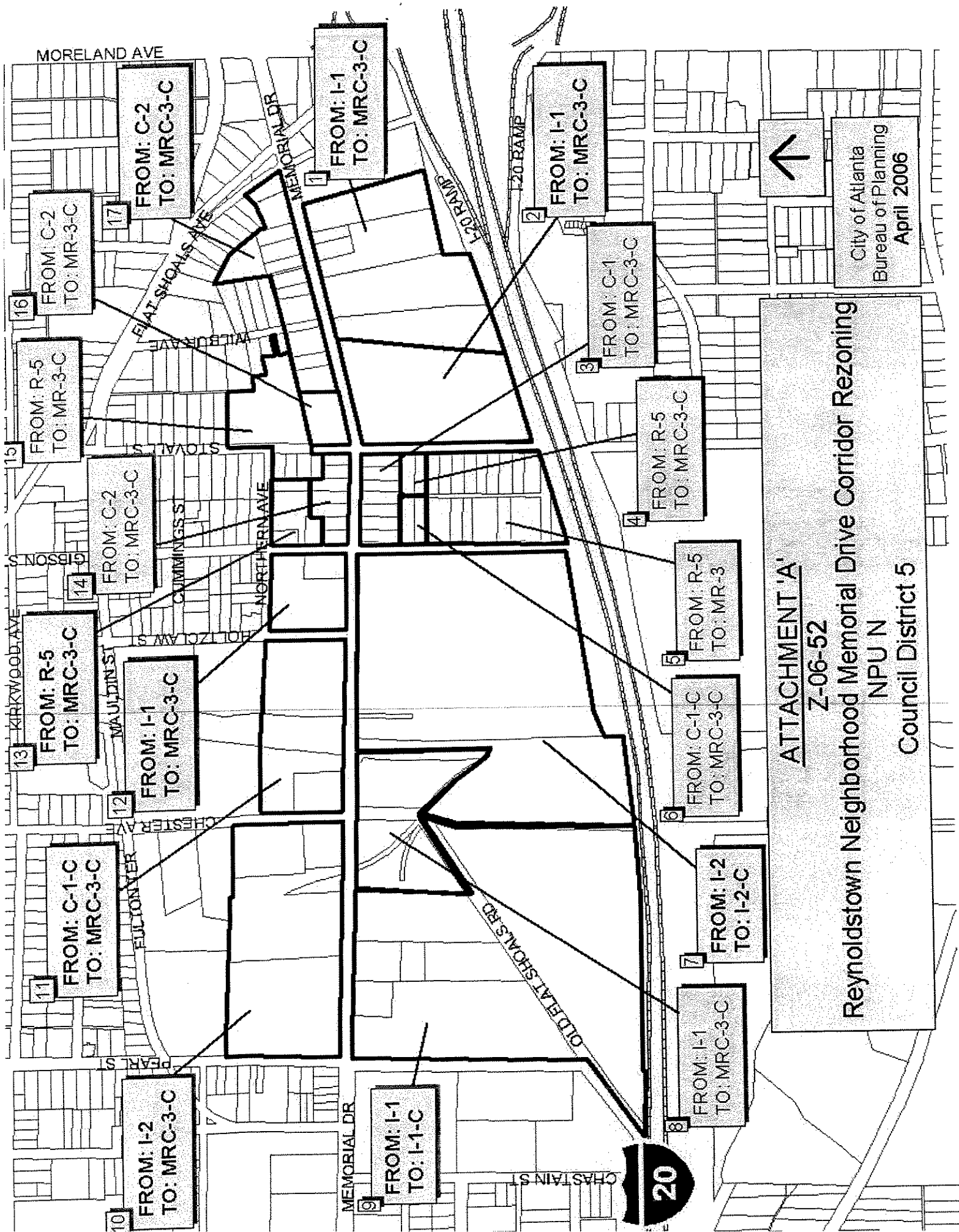
- xxv. Yards for storage of contractor's equipment; sand and gravel; lumber, junkyards, salvage yards (including automobile), scrap metal processors and similar operations.
- xxvi. General advertising signs.
- g. Public sidewalks shall be located along all public and private streets and shall have minimum widths as specified herein. Sidewalks shall consist of two zones: A street furniture and tree planting zone and a clear zone. The following regulations shall apply to all public sidewalks:
  - i. Street furniture and tree planting zone requirements. The street furniture and tree planting zone shall have a minimum width of five feet. Said zone shall be located immediately adjacent to the curb and shall be continuous. In addition to the required planting of trees, this zone may also be used for the placement of street furniture including utility poles, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility and as approved by the Director of the Bureau of Planning.
  - ii. On-street parking may be placed in the street furniture zone, provided that street trees are installed in bulb-outs located at intervals within the area used for on-street parking, as approved by the Director of the Bureau of Planning.
  - iii. Clear zone requirements. Said zone shall be located immediately contiguous to the street furniture and tree planting zone and shall be continuous. Said zone shall be hardscape, and shall be unobstructed for a minimum height of eight feet and for a minimum width as specified below, by any permanent or nonpermanent element.
    - 1. Along Memorial Drive and Bill Kennedy Way: Minimum width of 10 feet.
    - 2. Along all other streets: Minimum width of six feet.
  - iv. Street tree planting requirements. Street trees are required and shall be planted in the ground a maximum distance of 30 feet on center within the street furniture and tree planting zone and spaced equal distance between street lights. All newly planted trees shall be a minimum of three inches in caliper measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of seven feet. Trees shall have a minimum planting area of 40 square feet. Said planting area shall also be planted with evergreen ground cover such as mondo grass or liriope spicata except where tree grates are installed. All plantings, planting replacement, and planting removal shall be approved by the city arborist. The area between required plantings shall either be planted with evergreen ground cover such as mondo grass or liriope spicata or shall be paved as approved by the Director of the Bureau of Planning. Variations may be granted by the Director of the Bureau of Planning, subject to constraints such as overhead or underground utilities and Georgia Department of Transportation requirements along state routes.
  - v. Paving. All paving within the street furniture and tree planting zone that is not standard poured concrete, shall be a type specified by the Director of the

- Bureau of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way.
- vi. Nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede visibility within visibility triangles at street intersections between the heights of two and one-half feet and eight feet above grade. See subsection 16-28.008(9), Visibility at intersections.
  - vii. No awning or canopy shall encroach beyond the clear zone.
  - viii. Decorative pedestrian lights, where installed, shall be placed a maximum distance of 60 feet on-center and spaced equal distance between required trees along all streets unless otherwise approved by the Director of the Bureau of Planning. Where installed, said lights shall be located within either the street furniture and tree planting zone or the supplemental zone. All said lights shall be Atlanta Type "C" as approved by the planning bureau.
  - ix. Every commercially reasonable effort shall be made to place utilities underground or to the rear of structures to allow for unobstructed use of sidewalks.
  - x. Trash receptacles or similar elements, where installed, shall be a type specified by the Director of the Bureau of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way and shall be placed within the street furniture and tree planting zone.
- h. Fences and walls shall meet the following regulations:
- i. Fences located between the primary building and a public or private street shall not exceed six feet in height.
  - ii. No walls, except retaining walls, shall be located between the street and any building, with the exception of screening for authorized off-street loading areas
  - iii. No barbed wire, razor wire, chain link fence (with the exception of black vinyl-coated fencing) or similar elements shall be visible from any public plaza, sidewalk-level outdoor dining area or public or private street.
- i. Pedestrian entrances: The primary pedestrian entrance to access all sidewalk-level uses with public or private street frontage shall face and be visible from the public or private street when located adjacent to such street. When located along a street that functions as an arterial or collector, shall face, be visible from, and be directly accessible from the sidewalk along such street. Entrances shall remain unlocked during business hours for nonresidential uses.
- j. Loading areas, loading dock entrances and building mechanical and accessory features:
- i. Dumpsters and loading areas shall be paved with impervious materials and shall be screened so as not to be visible from any public plaza, ground level or sidewalk level outdoor dining area, public sidewalk or public right-of way.
  - ii. Loading dock entrances shall be screened so that loading docks are not visible from the public right-of-way.
  - iii. Building mechanical and accessory features:

1. Shall be located to the side or rear of the principal structure and shall be in the location of least visibility from the public right-of-way. Screening with plant or fence materials shall be required if the equipment is otherwise visible from the public right-of-way.
  2. When located on rooftops shall be incorporated in the design of the building and screened with building materials similar to the building.
- k. Driveway curb cut requirements:
- i. All sidewalk paving materials shall be continued across any intervening driveway curb cut at the same prevailing grade and cross slope as on the adjacent sidewalk clear zone.
  - ii. Shall have a band of textured concrete adjacent to the street which is in-line with and equal in width to the street furniture zone and shall have a textured band of concrete adjacent to the sidewalk which is in-line with the supplemental zone and a minimum width of five feet from the sidewalk.
  - iii. Shall be a maximum of 24 feet wide for two-way entrances and 12 feet wide for one-way entrances, unless otherwise permitted by the Commissioner of Public Works.
  - iv. Shall not be permitted on any street that functions as an arterial street or collector street when access may be provided from a side or rear street with similar land uses on adjacent properties, with the exception of hotel patron drop-off drives.
  - v. Maximum permitted number of driveway curb cuts for each development, subject to the provisions of Section 16-25.002(3):
    1. Developments with only one street frontage, which is less than 300 feet in length: one;
    2. Developments with only one street frontage, which is greater than 300 feet in length: two;
    3. Developments with more than one street frontage: one located on each street frontage, provided that curb cuts shall not be permitted on arterial or collector streets when access may be provided on other streets with adjacent land uses similar to that of the subject property.
    4. Two curb cuts serving two one-way driveways shall only be counted as one curb cut.
- l. Parking structures: shall conceal automobiles from visibility from any public park, right-of-way or private street, and shall have the appearance of a horizontal storied building on all levels from said park, right-of-way or street.
- m. All lighting in parking decks and surface parking lots shall reduce light spillage outside of property by providing cut-off luminaries which have a maximum 90 degree illumination. Lighting within parking decks shall not contain unshielded internal light bulbs that are visible from any public park, right-of-way or street.
- n. Off-street parking requirements:
- i. All developments shall have walkways a minimum width of four feet connecting ground-level parking to the public sidewalks and to all building entrances.

- ii. Surface Parking Lot Landscaping: The requirements of City of Atlanta Code of Ordinances, Chapter 158 Vegetation, Article II Tree Protection, Section 30 Parking Lot Requirements shall apply except as modified as follows:
  - 1. Said parking lot landscaping requirements shall apply to all lots regardless of size;
  - 2. All parking bays shall be terminated with a landscaped strip a minimum width of five feet and equal to the length of the parking bay.
  - 3. All required landscaped areas shall be planted with evergreen groundcover or shrubs with a maximum height of 30 inches; and
  - 4. All landscaped buffer areas and strips along sidewalks, drives, private streets and public rights of way shall have a minimum of one tree with a minimum caliper of two and one-half inches.

Section 3: That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.



MORELAND AVE

FROM: C-2  
TO: MRC-3-C

FROM: I-1  
TO: MRC-3-C

FROM: I-1  
TO: MRC-3-C

FROM: C-1  
TO: MRC-3-C

FROM: R-5  
TO: MRC-3-C

FROM: R-5  
TO: MR-3

FROM: C-1-C  
TO: MRC-3-C

FROM: I-2  
TO: I-2-C

FROM: I-1  
TO: MRC-3-C

FROM: I-1  
TO: I-1-C

FROM: I-2  
TO: MRC-3-C

FROM: C-1-C  
TO: MRC-3-C

FROM: I-1  
TO: MRC-3-C

FROM: C-2  
TO: MRC-3-C

FROM: R-5  
TO: MR-3-C

FROM: C-2  
TO: MR-3-C

City of Atlanta  
Bureau of Planning  
April 2006

**ATTACHMENT 'A'**  
**Z-06-52**  
**Reynoldstown Neighborhood Memorial Drive Corridor Rezoning**  
**NPU N**  
**Council District 5**





DRAFT  
ATTACHMENT 'B'  
Z-06-52

Area	Address(es)	Zoning From	Zoning To
1	Odd addresses from 1061 Memorial Dr. through 1105 Memorial Dr.	I-1	MRC-3-C
2	1043 Memorial	I-1	MRC-3-C
3	Odd addresses from 985 Memorial Dr. through 999 Memorial Dr.	C-1	MRC-3-C
4	Odd addresses from 309 Stovall St. through 313 Stovall St.	R-5	MRC-3-C
5	Even addresses from 314 Gibson St. through 364 Gibson St. Odd addresses from 317 Stovall St. through 355 Stovall St.	R-5	MR-3
6	985 Memorial Dr. (rear)	C-1-C	MRC-3-C
7	Odd addresses from 905 Memorial Dr. through 949 Memorial Dr. Even addresses from 310 Chester Ave. through 356 Chester Ave.	I-2	I-2-C
8	Odd addresses from 841 Memorial Dr. through 869 Memorial Dr. 313 Chester Ave.	I-1	MRC-3-C
9	Odd addresses from 767 Memorial Dr. through 833 Memorial Dr. 810 Old Flat Shoals Rd. 815 Old Flat Shoals Rd.	I-1	I-1-C
10	Even addresses from 780 Memorial Dr. through 846 Memorial Dr. Odd addresses from 269 Chester Ave. through 273 Chester Ave.	I-2	MRC-3-C
11	Even addresses 872 Memorial Dr. through 940 Memorial Dr. 236 Chester Ave.	C-1-C	MRC-3-C
12	Even addresses 948 Memorial Dr. through 968 Memorial Dr. Odd addresses 261 Gibson Ave. through 273 Gibson Ave. Odd addresses 901 Northern Ave. through 957 Northern Ave.	I-1	MRC-3-C
13	272 Gibson Odd addresses 973 Northern Ave. through 999 Northern Ave.	R-5	MRC-3-C
14	Even addresses 974 Memorial Dr. through 1118 Memorial Dr.	C-2	MRC-3-C
15	Odd addresses 241 Stovall Ave through 257 Stovall Ave. 230 Stovall (rear)	R-5	MR-3-C
16	230 Stovall (front)	C-2	MR-3-C
17	Even addresses 1046 Memorial Dr. through 1118 Memorial Dr. Un-named parcel north of addresses 1080, 1082 & 1096 Memorial Dr.	C-2	MRC-3-C

RCS# 333  
6/19/06  
6:37 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1317 Z-06-51 06-O-1318 Z-06-52  
06-O-1319 Z-06-53 TO ZRB AND ZONING  
REFER

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 2  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
NV Hall	Y Fauver	Y Martin	E Norwood
Y Young	NV Shook	E Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

City Council  
Atlanta, Georgia

06- 0 -1810

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-06-94  
Date Filed: 7-16-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1580 Flat Shoals Road, S.E.** be changed from the C-1 (Community Business) and R-4 (Single family residential) Districts to the MR4B (Multi-family Residential) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lots 146 and 175, 15<sup>th</sup> District, Dekalb County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

## QUITCLAIM DEED

STATE OF

COUNTY OF

THIS INDENTURE made the 13th day of March  
one thousand nine hundred and ninety-six

WILLIE J. MURPHY

of the County of DeKalb, Georgia, and State of Georgia,  
or parties of the first part, hereinafter called Grantor, and  
Rev. JIMMY MCCREARYall the County of DeKalb, Georgia, as party  
or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective  
heirs, successors and assigns where the context requires or permits).WITNESSETH that Grantor, for and in consideration of the sum of one dollar (\$1.00) and other valuable  
considerations in hand paid at and before the making and delivery of these presents, the receipt whereof is hereby  
acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantee  
all that tract or parcel of land lying and being in Land Lots 146 and  
175 of the 15th District of DeKalb County, Georgia, and being more  
particularly described as follows:BEGINNING at the corner formed by the intersection of the northwesterly  
side of Flat Shoals Road and the westerly side of Maynard Terrace;  
running thence southwesterly along the northwesterly side of Flat  
Shoals Road, two hundred nineteen and six hundredths (219.06) feet;  
thence north two hundred (200) feet; thence east seventy eight and  
forty one hundredths (78.41) feet; thence north eighty four (84) feet;  
thence east one hundred forty (140) feet to the westerly side of  
Maynard Terrace; thence running southerly along the westerly side of  
Maynard Terrace, two hundred ninety one (291) feet to the point of  
beginning; being improved property.Grantee herein assumes and agrees to pay that certain Debt To Secure  
Debt dated July 2, 1987 from Grantor to Evans Development Co. Inc.,  
a corporation recorded in Deed Book 5884 Page 121, DeKalb County  
Records in the principal amount of \$175,000.00DeKalb County, Georgia  
Real Estate Transfer Tax

Paid \$ NONE

CLERK, SUPERIOR COURT

By: [Signature]  
Deputy ClerkFILED AND RECORDED THIS  
25 DAY OF March, 1996  
AT 8:52 P. M.CLERK OF SUPERIOR COURT  
DEKALB COUNTY, GEORGIATO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantee nor any person or  
persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title  
to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]  
(Unofficial witness)[Signature]  
(Notary Public)

Notary Public:

My Commission Expires: 11/4/97

[Signature] (Seal)  
WILLIE J. MURPHY

(Seal)

(Seal)

BOOK 8912 PAGE 043

RECEIVED TIME MAR. 8. 4:56PM

RCS# 481  
8/21/06  
4:05 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1790 THRU 06-O-1811 (1-22)

REFER

YEAS: 15  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

City Council  
Atlanta, Georgia

06- O -2046

AN ORDINANCE  
BY: ZONING COMMITTEE

U-1093

**AN ORDINANCE TO AMEND ORDINANCE U-1093, AS ADOPTED BY THE CITY COUNCIL ON JULY 21, 1980 AND APPROVED BY THE MAYOR ON JULY 29, 1980, APPROVING A TRANSFER OF OWNERSHIP FOR A SPECIAL USE PERMIT FOR A DAY CARE CENTER FOR PROPERTY LOCATED 2315 PERKERSON ROAD S.W. AND FOR OTHER PURPOSES.**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the transfer (i.e. change of grantee) of Special Use Permit U-1083, granting a Special Use Permit for a Day Care Center, property located at **2315 Perkerson Road, S.W.**, from Marian S. Jordan to Willie and Annie Yancy is hereby approved, under the provision of Section 16-25.002 (2), to wit:

SECTION 2. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

RCS# 571  
9/18/06  
4:01 PM

Atlanta City Council

REGULAR SESSION

06-0-2046            AMEND ORD.U-1093 FOR SPECIAL USE PERMIT  
                      TO DAYCARE AT 2315 PERKERSON RD.  
                      REFER

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 3

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	B Martin	Y Norwood
Y Young	NV Shook	Y Maddox	B Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

06-0-2046

AN ORDINANCE BY  
BY: IVORY LEE YOUNG, JR.



05-0-  
Z-05-56

**AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE ZONING CODE OF THE CITY OF ATLANTA, FOR THE PURPOSE OF CLARIFYING AND/OR DEFINING CERTAIN TERMS RELATED TO SUPPORTIVE HOUSING; TO PROVIDE HOW APPLICATIONS FOR SUCH USES ARE TO BE PROCESSED; DEFINING THE TERM COMMUNITY CENTER AND REMOVING CERTAIN REDUNANT TERMS RELATED TO SUCH USE; REDEFINING THE CONDITIONS UNDER WHICH DORMITORIES, SORORITY HOUSES AND FRATERNITY HOUSES ARE PERMITTED; DELETING ROOMINGHOUSES AND BOARDINGHOUSES AS PERMITTED USES IN CERTAIN DISTRICTS; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 16-29.001 of the City of Atlanta Zoning Code contains definitions of terms that describe the permitted uses; and

**WHEREAS**, the City also desires to define Supportive Housing and other related terms for the purpose of enabling other interested persons and neighborhoods to gain a greater understanding and an awareness of the need for Supportive Housing; and

**WHEREAS**, the City of Atlanta Zoning Code states the manner in which uses are permitted in various zoning classifications; and

**WHEREAS**, it is in the best interest of the city to clarify and define Supportive Housing in the Zoning Code in an effort to become more consistent with local, state, county and federal government regulations and to adopt legislation for that purpose; and

**WHEREAS**, it is in the best interests of the City and for the health, safety and welfare of its residents and businesses that these definitions be adopted to provide more specific guidance as to where Supportive Housing uses may be located, and to provide how applications for such uses will be processed.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:**

**Section 1.** That Section 16-29.001 of the Zoning Code of the City of Atlanta be amended by adding the following language as Subsection (63):



(63) Supportive Housing: sleeping facilities or housing, whether provided on a transitional, temporary or permanent basis and which may be provided in conjunction with the provision of medical care, job training, counseling and/or substance abuse counseling services and having all of the following characteristics:

- 1) The facility is operated on a not for profit basis;
- 2) Registration or any other type of permission to occupy the facility is required on a daily basis or under agreements or leases designed to ensure reservation of space;
- 3) Facilities and services include sleeping facilities, and/or personal sanitation facilities and may include the provision of meals, medical care, job training, counseling and/or substance abuse counseling services;
- 4) The supervision of residents and persons using the facilities and services made available is primarily provided for the purpose of enforcement of the rules and regulations pertaining to the operation of the place of use and not for the purpose of attending to the personal care needs of the persons served with respect to the supervision of self-administered medication, or with the essential activities of daily living such as bathing, grooming, dressing and toileting.

(a) A Special Use Permit is required to operate a Supportive Housing Facility. In addition to the requirements set forth in 16-25.003, Supportive Housing Facilities shall comply with the following standards:

- 1) No such facility shall be located within 2,000 feet of any Personal Care Home, Assisted Living Facility, Nursing Home, Rehabilitation Center, or other Supportive Housing Facility.
- 2) The holder of any Special Use Permit issued in accordance with Sec. 16-25.001 *et seq.* of this part, for a use which would after the date of adoption of this ordinance be classified as a Supportive Housing Facility shall make no alterations or additions to the primary structure for the purpose of increasing the number of persons to whom services are provided without a special use permit issued pursuant to this section.
- 4) Each location shall be within 1,500 feet of a public transportation station or transit stop.
- 5) Where such use is allowed in any zoning district where no parking requirements for the use are specified, one parking space shall be required

for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

- 6) Each facility shall provide a bed or crib for each resident.
- 7) Each facility shall allow restroom facilities to be available to residents at all times when residents are allowed on the property.
- 8) Each facility shall meet the minimum standards set forth in the City of Atlanta Housing Code for a "building with a special use" as set forth in Section 26 (as recodified or amended).
- 9) The owner or operator of the facility shall maintain a minimum staffing ratio of one (1) staff member for every thirty (30) residents during the hours from 8:00 am to 6:00 pm and one (1) staff member for every twenty (20) residents during the hours from 6:00 pm to 8:00 am.
- 10) No facility shall allow either cooking or smoking in any room used for sleeping.
- 11) In any facility where indoor smoking is permitted, smoking shall be restricted to designated areas.
- 12) The owner or operator of the facility shall ensure that all staff members are instructed as to the location of all exits and trained in the use of fire extinguishers.
- 13) Each facility shall have an emergency evacuation plan approved by the Atlanta Fire Department posted in a public area of the facility.
- 14) Each facility shall have emergency exits clearly marked.
- 15) Each facility shall provide direct pedestrian ingress and egress that does not require unauthorized use of other private property

(b) When the National Weather Service reports either that the temperature or wind chill is below thirty-two (32) degrees fahrenheit or that a weather advisory is in effect, the owner or operator of a facility shall be excused from the minimum space requirements set forth in this section.

(c) After the date of adoption of this ordinance, the holder of any Special Use Permit or any Special Administrative Permit for any use which would be classified as Supportive Housing, shall make no alterations or additions to any structure for the purpose of increasing the number of persons to whom any services, including sleeping facilities, are provided without a special use permit issued pursuant to this section.

(d) After the date of adoption of this ordinance, no facility being used in a manner, which would be classified as Supportive Housing, will be allowed to increase the number of persons to whom any services, including sleeping facilities, are provided without a special use permit issued pursuant to this section.

**Section 2.** That Section 16-29.001 of the Code of the City of Atlanta be amended by adding the following language as Subsection (64) to define Community Center:

(64) **Community Center:** A building, either publicly or privately, owned and operated, that provides social and or recreational activities, and programs within the location. The community center may provide space to congregate for meetings, after school programs or other services intended for residents of the community and their families. A community center may provide social services but may not provide sleeping facilities or residential accommodations as a component of its services provided.

**Section 3.** That certain sections of the Code of Ordinance be amended to clarify the process for permitting the uses associated with **Community Centers**.

**Section 3A.** That the uses permitted in **R-1 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-03.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3B.** That the uses permitted in **R-2 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-04.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3C.** That the uses permitted in **R-2A zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-04A.005(1)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

- (i) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (i) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3D.** That the uses permitted in **R-3 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-05.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3E.** That the uses permitted in **R-3A zoning districts** by special use permit

be amended as set forth in the following subsections:

(1) That Section 16-05A.005(1)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

- (i) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (i) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3F.** That the uses permitted in **R-4 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-06.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3G.** That the uses permitted in **R-4A zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-06A.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3H.** That the uses permitted in **R-4B zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-06B.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3I.** That the uses permitted in **R-5 zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-07.005(1)(k) of the Zoning Code of the City of Atlanta, which reads as follows:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (k) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3J.** That the uses permitted in **R-G zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-08.005(1)(j) of the Zoning Code of the City of Atlanta, which reads as follows:

- (j) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service

facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (j) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3K.** That the uses permitted in **RLC zoning districts** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-09.005(1)(d) of the Zoning Code of the City of Atlanta, which reads as follows:

- (d) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (d) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3L.** That the uses permitted in **O-I zoning districts** by special use permit be amended by the addition of a new subsection to be codified as Sec. 16-005(1)(g) which shall read as follows:

- (g) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3M.** That the uses permitted in the **SPI-18 zoning district** by special use permit be amended as set forth in the following subsections:

(1) That Section 16-18K.004(4)(d)(1)(v) of the Zoning Code of the City of Atlanta, which reads as follows:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

(2) That Section 16-18K.004(5)(d)(1)(v) of the Zoning Code of the City of Atlanta, which reads as follows:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

(3) That Section 16-18K.004(6)(d)(1)(v) of the Zoning Code of the City of Atlanta, which reads as follows:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

(4) That Section 16-18K.004(7)(d)(1)(v) of the Zoning Code of the City of Atlanta, which reads as follows:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

(5) That Section 16-18K.004(8)(d)(1)(v) of the Zoning Code of the City of Atlanta, which reads as follows:



- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, recreational centers, community centers and community service facilities, and the like, when not owned or operated by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (v) Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena, and community centers.

**Section 3N.** That the uses and parking regulations permitted in the **SPI-18 zoning district** be amended as set forth in the following subsections.

- (1) That the Table following Section 16-18R.005 of the Zoning Code of the City of Atlanta, which has as an entry entitled

Community centers, community service facilities, recreation centers.

Be amended by striking the existing language and replacing it with the following:

Community centers.

**Section 3O.** That the uses permitted in the **SPI-20 zoning district** be amended by striking the language of footnote 16 in the table entitled “SPI-20 Greenbriar Permitted Uses which states:

- (16) including community service facilities when not owend by a government agency

such that footnote 16 will now read as follows:

- (16) Repealed.

**Section 3P.** That Section 16-20L.008(14)(c)(iv) pertaining to the “civic bonus” given in the **Inman Park Historic District** for certain types of development which reads as follows:

- iv. Civic bonus. Developments which provide recreational centers, community centers and community service centers which are available to the general public during normal city recreational center, community center or community service hours shall be permitted a floor area bonus equal to the total recreational center, community center or community service centers floor area.

Be amended by striking the existing language and replacing it with the following:

iv. Civic bonus. Developments providing community centers made available to the general public during the same time period of each day that community centers or recreation centers operated by the City of Atlanta are open, shall be permitted a floor area bonus equal to the total floor area of the community center provided.

**Section 3Q.** That Section 16-33.004(2)(l) listing the uses permitted in **Live Work (“LW”) zoning district** which reads as follows:

- (l) Nursing Homes and Convalescent Centers

Be amended by striking the existing language and replacing it with the following:

- (l) Repealed.

**Section 3Q(1).** That Section 16-33.006(1)(d) and Section 16-33.001(e) and Section 16-33.001(h) listing the uses permitted in **Live Work (“LW”) zoning district** by special use permit, which read as follows:

- (d) Community centers, and the like, when not owned by a governmental agency.
- (e) Community service facilities, and the like, when not owned by a governmental agency.
- (h) Group home, congregate care home and rehabilitation centers..

Be amended by striking the existing language and replacing it with the following:

- (d) Community centers.
- (e) Nursing Homes,
- (h) Personal care homes, assisted living facilities and rehabilitation centers.

**Section 3R.** That Section 16-34.007(1)(e) listing the uses permitted in **Mixed Residential Commercial (“MRC”) zoning district** by special use permit which reads as follows:

- (e) Community service facilities, and the like, when not owned by a governmental agency.

Be amended by striking the existing language and replacing it with the following:

- (e) Community centers.

**Section 3S.** That certain subsections of Section 16-35.007(1) listing the uses permitted in **Multi Family Residential (“MR”) zoning district** by special use permit which read as follows:

- h. Group home, congregate care home and rehabilitation centers.
- i. Golf courses, sports arenas, recreational centers, community centers and community service facilities, and the like, when not owned by a governmental agency.
- j. Nursing homes, convalescent homes and similar care facilities.

Be amended by striking the existing language of those subsections and replacing such subsections with the following:

- h. Personal care homes, assisted living facilities and rehabilitation centers.
- i. Golf courses, sports arenas, and community centers.
- j. Nursing homes.

**Section 4.** That certain sections of the Code of Ordinance be amended to clarify the uses and parking requirements associated with **Dormitories, Fraternity Houses and Sorority Houses** and the type of permission required for such use.

**Section 4A.** That the uses and parking requirements permitted in **R-G zoning districts** be amended as set forth in the following subsections:

(1) That Section 16-08.003(3) of the Zoning Code of the City of Atlanta, which reads as follows:

- (3) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (3) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

**Section 4B.** That the uses and parking requirements permitted in **O-I zoning districts** be amended as set forth in the following subsections:

(1) That Section 16-10.003(7) of the Zoning Code of the City of Atlanta, which reads as follows:

- (7) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (7) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

(2) That Section 16-10.009(7) of the Zoning Code of the City of Atlanta, which reads as follows:

- (7) Fraternities, sororities and dormitories: One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Be amended by striking the existing language and replacing it with the following:

- (7) Dormitories, fraternity houses and sorority houses. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

**Section 4B.** That the uses and parking requirements permitted in **C-1 zoning districts** be amended as set forth in the following subsections:

(1) That Section 16-11.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

- (g) Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

- (g) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

(2) That Section 16-11.010(8) of the Zoning Code of the City of Atlanta, which reads as follows:

- (8) Fraternities, sororities and dormitories: One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Be amended by striking the existing language and replacing it with the following:

- (8) Dormitories, fraternity houses and sorority houses. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

**Section 4C.** That the uses and parking requirements permitted in **C-2 zoning districts** be amended as set forth in the following subsections:

(1) That Section 16-12.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

- (f) Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

- (f) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

(2) That Section 16-12.009(7) of the Zoning Code of the City of Atlanta, which reads as follows:

- (7) Fraternities, sororities and dormitories: One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Be amended by striking the existing language and replacing it with the following:

- (7) Dormitories, fraternity houses and sorority houses. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

**Section 4D.** That the uses and parking requirements permitted in **C-3 zoning districts** be amended as set forth in the following subsections:

(1) That Section 16-13.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

- (f) Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

- (f) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

(2) That Section 16-13.009(7) of the Zoning Code of the City of Atlanta, which reads as follows:

- (7) Fraternities, sororities and dormitories: One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Be amended by striking the existing language and replacing it with the following:

- (7) Dormitories, fraternity houses and sorority houses. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

**Section 4E.** That the uses permitted in **C-4 zoning districts** be amended as set forth in the following subsections:

That Section 16-14.003(10) of the Zoning Code of the City of Atlanta, which reads as follows:

- (10) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (10) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

**Section 4F.** That the uses permitted in **C-5 zoning districts** be amended as set forth in the following subsections:

That Section 16-15.003(11) of the Zoning Code of the City of Atlanta, which reads as follows:

- (11) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (11) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

**Section 4G.** That the uses permitted in the **SPI-2 zoning district** be amended as set forth in the following subsections:

That Section 16-18B.003(9) of the Zoning Code of the City of Atlanta, which reads as follows:

- (9) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (9) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

**Section 4H.** That the uses permitted in the **SPI-3 zoning district** be amended as set forth in the following subsections:

That Section 16-18C.003(9) of the Zoning Code of the City of Atlanta, which reads as follows:

- (9) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (9) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

**Section 4I.** That the uses permitted in the **SPI-4 zoning district** be amended as set forth in the following subsections:

That Section 16-18D.003(9) of the Zoning Code of the City of Atlanta, which reads as follows:

- (9) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (9) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

**Section 4J.** That the uses permitted in the **SPI-11 zoning district** be amended as set forth in the following subsections:

That Section 16-18K.004(3)(b)(3) of the Zoning Code of the City of Atlanta, which reads as follows:

- (3) Dormitories, fraternity and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

Be amended by striking the existing language and replacing it with the following:

- (3) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

**Section 4K.** That the uses permitted in the **SPI-13 zoning district** be amended as set forth in the following subsections:

That Section 16-18M.022(4)(c) of the Zoning Code of the City of Atlanta, which reads as follows:

- (c) Dormitories, sororities or fraternities.

Be amended by striking the existing language and replacing it with the following:

- (c) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time



period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

**Section 4L.** That the uses and parking requirements permitted in the **SPI-15 zoning district** be amended as set forth in the following subsections:

(1) That Section 16-18O.005(6) of the Zoning Code of the City of Atlanta, which reads as follows:

(6) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

(6) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

(2) That Section 16-18O.022(5)(e) of the Zoning Code of the City of Atlanta, which reads as follows:

(e) Dormitories, fraternities, sororities. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

Be amended by striking the existing language and replacing it with the following:

(e) Dormitories, fraternity houses and sorority houses. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

(3) That Section 16-18O.028(3)(a)(ii) of the Zoning Code of the City of Atlanta, which reads as follows:

(ii) Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

(ii) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

**Section 4M.** That the uses permitted in the **SPI-16 zoning district** be amended as set forth in the following subsections:

That Section 16-18P.028(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

- (f) Dormitories, fraternities and sororities.

Be amended by striking the existing language and replacing it with the following:

- (f) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

**Section 4N.** That the uses and parking regulations permitted in the **SPI-18 zoning district** be amended as set forth in the following subsections.

- (1) That the Table following Section 16-18R.005 of the Zoning Code of the City of Atlanta, which has as an entry entitled

Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

- (2) That Section 16-18R.020(5)(e) of the Zoning Code of the City of Atlanta, which reads as follows:

- (e) Dormitories, fraternities and sororities. A maximum of one for each 600 square feet of floor area.

Be amended by striking the existing language and replacing it with the following:

- (e) Dormitories, fraternity houses and sorority houses. One space for two beds plus one space for each 200 square feet of floor area designated or occupied other than for sleeping purposes.

**Section 4O.** That the uses permitted in the **Martin Luther King Jr. Landmark District** be amended as set forth in the following subsections:

(1) That Section 16-20C.007(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

(g) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

(2) That Section 16-20C.008(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Dormitories, fraternity houses and sorority houses.

Be amended by striking the existing language and replacing it with the following:

(g) Dormitories, fraternity houses and sorority houses, officially affiliated with an accredited college, university or private school and only for the time period that such affiliation is in effect, such that loss of affiliation shall result in the loss of permission for the use.

**Section 5.** That certain sections of the Code of Ordinance be amended to allow “rooming houses” only in C-3, C-4 and C-5 and to require that such use be approved by a special use permit.

#### **Section 5A – RG Districts**

That section 16-08.003(6) of the Zoning Code of the City of Atlanta, which reads as follows:

(6) Roominghouses.

Be amended by striking the existing language and replacing it with the following:

(6) Repealed.

#### **Section 5B – RG – Land Use Intensity Ratios**

That section 16-08.007(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) The following standard ratios on Table I, "Land Use Intensity Ratios," shall apply to two-family dwellings, multi-family dwellings, zero-lot-line dwellings, residence hotels, apartment hotels, rooming houses, boarding houses, containing living quarters for five or more persons, and dormitories, fraternities, and sorority houses. They are allowed at the maximum ratios for each of the five sectors as so designated on the official map. Any change in the Residential General (RG) sector designation or change from any other classification to an RG district which carries a sector designation shall require an amendment of the official map as prescribed for amendments general (Chapter 27). For the purpose of obtaining a building permit, the ratios indicated for Total Open Space (TSOR), Usable Open Space (USOR), and parking shall be used according to the nearest Floor Area Ratio (FAR) (shown on Table I) to the actual FAR for the development as indicated on the plans presented.

Be amended by striking the existing language and replacing it with the following:

(3) The following standard ratios on Table I, "Land Use Intensity Ratios," shall apply to two-family dwellings, multi-family dwellings, zero-lot-line dwellings, residence hotels, apartment hotels, rooming houses, containing living quarters for five or more persons, and dormitories, fraternity houses, and sorority houses. They are allowed at the maximum ratios for each of the five sectors as so designated on the official map. Any change in the Residential General (RG) sector designation or change from any other classification to an RG district which carries a sector designation shall require an amendment of the official map as prescribed for amendments general (Chapter 27). For the purpose of obtaining a building permit, the ratios indicated for Total Open Space (TSOR), Usable Open Space (USOR), and parking shall be used according to the nearest Floor Area Ratio (FAR) (shown on Table I) to the actual FAR for the development as indicated on the plans presented.

#### **Section 5C – RLC - Districts**

That section 16-09.003(8) of the Zoning Code of the City of Atlanta, which reads as follows:

(8) Roominghouses.

Be amended by striking the existing language and replacing it with the following:

(8) Repealed.

#### **Section 5D – O/I Districts**

That section 16-10.003(13) of the Zoning Code of the City of Atlanta, which reads as follows:

- (13) Roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (13) Repealed.

#### **Section 5E – C-1 Districts**

That section 16-11.005(1)(h) of the Zoning Code of the City of Atlanta, which reads as follows:

- (h) Hotels and roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (h) Hotels and motels.

#### **Section 5F– C-2 Districts**

That section 16-12.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

- (h) Hotels and roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (h) Hotels and motels.

#### **Section 5G – C-3 Districts**

That section 16-13.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

- (g) Hotels and roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (g) Hotels and motels.

**Subsection 5G(1).** That the uses permitted in **C-3 zoning districts** by special use permit be amended by the adoption of a new subsection 16-13.005(1)(l) of the Zoning Code of the City of Atlanta, which shall read as follows:

- (l) Roominghouses;

#### **Section 5H – C-4 Districts**

That section 16-14.003(14) of the Zoning Code of the City of Atlanta, which reads as follows:

- (14) Hotels and roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (14) Hotels and motels.

**Subsection 5H(1).** That the uses permitted in **C-4 zoning districts** by special use permit be amended by the adoption of a new subsection 16-13.005(1)(g) of the Zoning Code of the City of Atlanta, which shall read as follows:

- (g) Roominghouses;

#### **Section 5I – C-5 Districts**

That section 16-15.003(15) of the Zoning Code of the City of Atlanta, which reads as follows:

- (15) Hotels and roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (15) Hotels and motels.

**Subsection 5I(1).** That the uses permitted in **C-5 zoning districts** by special use permit be amended by the adoption of a new subsection 16-15.005(1)(h) of the Zoning Code of the City of Atlanta, which shall read as follows:

- (h) Roominghouses;

#### **Section 5J – Parking Requirements in C-1**

That section 16-11.010(17) of the Zoning Code of the City of Atlanta, which reads as follows:

- (17) Hotel and motels: One space per rental unit plus one-half space per employee; one space per 100 square feet of restaurant/lounge gross

leasable area; one space per 300 square feet of other convention facilities (GLA).

Be amended by striking the existing language and replacing it with the following:

- (17) Hotels and motels: One space per rental unit plus one-half space per employee, plus one space per 100 square feet of restaurant/lounge gross leasable area, plus one space per 300 square feet of gross leasable area of other convention facilities.

#### **Section 5K – SPI - 11**

That section 16-18K.004(1)(d)(iii) of the Zoning Code of the City of Atlanta, which reads as follows:

- (iii) Motels and boarding houses, except that motels shall not be located within 500 feet of the boundaries of any public elementary or secondary school

Be amended by striking the existing language and replacing it with the following:

- (iii) Motels, except that motels shall not be located within 500 feet of the boundaries of any public elementary or secondary school.

#### **Section 5L – SPI - 15**

That section 16-18O.028(1)(h) of the Zoning Code of the City of Atlanta, which reads as follows:

- (h) Hotels, motels and roominghouses.

Be amended by striking the existing language and replacing it with the following:

- (h) Hotels and motels.

#### **Section 5M – SPI - 15**

That section 16-18O.028(1)(n) of the Zoning Code of the City of Atlanta, which reads as follows:

- (n) Rooming houses.

Be amended by striking the existing language and replacing it with the following:

- (n) Repealed.

### **Section 5N – SPI - 16**

That section 16-18P.005(13) of the Zoning Code of the City of Atlanta, which reads as follows:

- (13) Rooming and Boardinghouses.

Be amended by striking the existing language and replacing it with the following:

- (13) Repealed.

### **Section 5O – Martin Luther King Landmark District**

(1) That section 16-20C.007(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

- (g) Hotels and motels, rooming houses and boardinghouses.

Be amended by striking the existing language and replacing it with the following:

- (g) Hotels and motels.

(2) That section 16-20C.008(1)(j) of the Zoning Code of the City of Atlanta, which reads as follows:

- (j) Hotels and motels, rooming houses and boardinghouses.

Be amended by striking the existing language and replacing it with the following:

- (j) Hotels and motels.

### **Section 5P – Live Work Districts**

(1) That section 16-33.006(1)(j) of the Zoning Code of the City of Atlanta, which reads as follows:

- (j) Hotels and Rooming houses.

Be amended by striking the existing language and replacing it with the following:

- (j) Hotels.



## **Section 5Q – Neighborhood Commercial Districts**

(1) That section 16-34.007(1)(n) of the Zoning Code of the City of Atlanta, which reads as follows:

(n) Rooming houses and boardinghouses.

Be amended by striking the existing language and replacing it with the following:

(g) Repealed.

**Section 6.** That Supportive Housing use be permitted by special use permit in various zoning districts and governed by off-street parking regulations as follows:

**Subsection 6A.** That the uses permitted in **O-I zoning districts** by special use permit be amended by the adoption of a new subsection 16-10.005(1)(g) of the Zoning Code of the City of Atlanta, which shall read as follows:

(g) Supportive Housing;

**Subsection 6A(1).** That the off-street parking requirements in **O-I zoning districts** be amended by the adoption of a new subsection 16-10.009(12) of the Zoning Code of the City of Atlanta, which shall read as follows:

(12) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6B.** That the uses permitted in **C-1 zoning districts** by special use permit be amended by the adoption of a new subsection 16-11.005(1)(m) of the Zoning Code of the City of Atlanta, which shall read as follows:

(m) Supportive Housing;

**Subsection 6B(1).** That the off-street parking requirements in **C-1 zoning districts** be amended by the adoption of a new subsection 16-11.010(22) of the Zoning Code of the City of Atlanta, which shall read as follows:

(20) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be

provided for each 2,000 square feet of the facility.

**Subsection 6C.** That the uses permitted in **C-2 zoning districts** by special use permit be amended by the adoption of a new subsection 16-12.005(1)(k) of the Zoning Code of the City of Atlanta, which shall read as follows:

(k) Supportive Housing;

**Subsection 6C(1).** That the off-street parking requirements in **C-2 zoning districts** be amended by the adoption of a new subsection 16-12.010(20) of the Zoning Code of the City of Atlanta, which shall read as follows:

(20) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6D.** That the uses permitted in **C-3 zoning districts** by special use permit be amended by the adoption of a new subsection 16-13.005(1)(k) of the Zoning Code of the City of Atlanta, which shall read as follows:

(k) Supportive Housing;

**Subsection 6D(1).** That the off-street parking requirements in **C-3 zoning districts** be amended by the adoption of a new subsection 16-13.009(19) of the Zoning Code of the City of Atlanta, which reads as follows:

(e) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6E.** That the uses permitted in **C-4 zoning districts** by special use permit be amended by the adoption of a new subsection 16-14.005(1)(h) of the Zoning Code of the City of Atlanta, which shall read as follows:

(i) Supportive Housing;

**Subsection 6E(1).** That the off-street parking requirements in **C-4 zoning districts** be amended by the adoption of a new subsection 16-14.009(e) of the Zoning Code of the City of Atlanta, which shall read as follows:

(e) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each

van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6F** That the uses permitted in **C-5 zoning districts** by special use permit be amended as set forth by the adoption of a new subsection 16-15.005(1)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

(h) Supportive Housing;

**Subsection 6F(1).** That the off-street parking requirements in **C-5 zoning districts** be amended by the adoption of a new subsection 16-15.008(c) of the Zoning Code of the City of Atlanta, which reads as follows:

(c) *Supportive Housing:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6G.** That the uses permitted in **I-1 zoning districts** by special use permit be amended by the adoption of a new subsection 16-16.005(1)(p) of the Zoning Code of the City of Atlanta, which reads as follows:

(p) Supportive Housing;

**Subsection 6G(1).** That the off-street parking requirements in **I-1 zoning districts** be amended by the adoption of a new subsection 16-16.009(20) of the Zoning Code of the City of Atlanta, which reads as follows:

(20) One space per employee, staff member or volunteer, plus one space for each 300 square feet of the facility.

**Subsection 6H.** That the uses permitted in the **SPI-1 zoning district (Central Core)** by special use permit be amended by the adoption of a new subsection 16-18A.005(1)(i) of the Zoning Code of the City of Atlanta, which shall read as follows:

(i) Supportive Housing;

**Subsection 6H(1).** That the off-street parking requirements in **SPI-1 zoning district (Central Core)** be amended by the adoption of a new subsection 16-18A.009(c) of the Zoning Code of the City of Atlanta, which shall read as follows:

(c) *Supportive Housing Facilities:* One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space

shall be provided for each 2,000 square feet of the facility.

**Subsection 6I.** That the uses permitted in the **SPI-2 zoning district (North Avenue)** by special use permit be amended by the adoption of a new subsection 16-18B.005(1)(h) of the Zoning Code of the City of Atlanta, which shall read as follows:

(h) Supportive Housing;

**Subsection 6I(1).** That the off-street parking requirements in **SPI-2 zoning district (North Avenue)** be amended by the adoption of a new subsection 16-18B.009(c) of the Zoning Code of the City of Atlanta, which shall read as follows:

(c) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6J.** That the uses permitted in the **SPI-3 zoning district (Midtown)** by special use permit be amended by the adoption of a new subsection 16-18C.005(1)(h) of the Zoning Code of the City of Atlanta, which shall read as follows:

(h) Supportive Housing;

**Subsection 6J(1).** That the off-street parking requirements in the **SPI-3 zoning district (Midtown)** be amended by the adoption of a new subsection 16-18C.009(c) of the Zoning Code of the City of Atlanta, which shall read as follows:

(c) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6K.** That the uses permitted in the **SPI-4 zoning district (Arts Center)** by special use permit be amended by the adoption of a new subsection 16-18D.005(1)(h) of the Zoning Code of the City of Atlanta, which shall read as follows:

(h) Supportive Housing;

**Subsection 6K(1).** That the off-street parking requirements in the **SPI-4 zoning district (Arts Center)** be amended by the adoption of a new subsection 16-18D.009(c) of the Zoning Code of the City of Atlanta, which shall read as follows:

(c) Supportive Housing Facilities: One parking space for each on duty staff member,

whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6L.** That the uses permitted in the **SPI-11 zoning district (Ashby Station – Shopping Subarea 1)** by special use permit be amended by the adoption of a new subsection 16-18K.004(1)(d)(1)(iv) of the Zoning Code of the City of Atlanta, which shall read as follows:

(iv) Supportive Housing;

**Subsection 6L(1).** That the off-street parking requirements in the **SPI-11 zoning district (Ashby Station – Shopping Subarea 1)** be amended by the adoption of a new subsection 16-18K.004(1)(k)(8) of the Zoning Code of the City of Atlanta, which shall read as follows:

(8) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6M.** That the uses permitted in the **SPI-13 zoning district (Centennial Olympic Park)** by special use permit be amended by the adoption of a new subsection 16-18M.007(1)(d) of the Zoning Code of the City of Atlanta, which shall read as follows:

(d) Supportive Housing;

**Subsection 6M(1).** That the off-street parking requirements in the **SPI-13 zoning district (Centennial Olympic Park)** be amended by the adoption of a new subsection 16-18M.009(c) of the Zoning Code of the City of Atlanta, which shall read as follows:

(c) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6N.** That the uses permitted in the **SPI-15 zoning district (Lindbergh)** by special use permit be amended by the adoption of a new subsection 16-18O.028(3)(a)(vi) of the Zoning Code of the City of Atlanta, which shall read as follows:

(vi) Supportive Housing;

**Subsection 6N(1).** That the off-street parking requirements in the **SPI-15 zoning district (Lindbergh)** be amended by the adoption of a new subsection 16-18O.022(5)(m) of the Zoning Code of the City of Atlanta, which shall read as follows:

(m) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6O.** That the uses permitted in the **SPI-16 zoning district (Midtown – Commercial Subarea 1)** by special use permit be amended by the adoption of a new subsection 16-18P.007(1)(g) of the Zoning Code of the City of Atlanta, which shall read as follows:

(g) Supportive Housing in Commerical Subarea 1 only;

**Subsection 6O(1).** That the off-street parking requirements in the **SPI-16 zoning district (Midtown – Commercial Subarea 1)** be amended by the adoption of a new subsection 16-18P.022(5)(s) of the Zoning Code of the City of Atlanta, which shall read as follows:

(s) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6P.** That the uses permitted in the **SPI-18 zoning district (Mechanicsville)** by special use permit be amended by the adoption of a new entry in the table which follows subsection 16-18R.005 of the Zoning Code of the City of Atlanta, to indicate that Supportive Housing is a permitted use in Subareas 1, 2, 3, 7, 8 and 9.

**Subsection 6P(1).** That the off-street parking requirements in the **SPI-18 zoning district (Mechanicsville)** be amended by the adoption of a new subsection 16-18R.020(5)(q) of the Zoning Code of the City of Atlanta, which shall read as follows:

(q) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6Q.** That the uses permitted in the **SPI-19 zoning district (Greenbriar)** by special use permit be amended by the adoption of a new entry in the table which follows subsection 16-18T.005 of the Zoning Code of the City of Atlanta, to

indicate that Supportive Housing is a permitted use in Subareas 1, 2, and 3.

**Subsection 6P(1).** That the off-street parking requirements in the **SPI-19 zoning district (Greenbriar)** be amended by the adoption of a new subsection 16-18T.022(5)(p) of the Zoning Code of the City of Atlanta, which shall read as follows:

(q) Supportive Housing Facilities: One parking space for each on duty staff member, whether paid or unpaid. In addition to staff parking, a space of sufficient size is required for each van, bus or other vehicle used by the facility and one additional parking space shall be provided for each 2,000 square feet of the facility.

**Subsection 6Q.** That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **PD-MU zoning district (Planned Development – Mixed Use)** allow Supportive Housing to be included as a permitted use by the adoption of a new subsection 16-19B.003(16) which shall read as follows:

(16) Supportive Housing;

**Subsection 6R.** That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **PD-OC zoning district (Planned Development – Office – Commercial)** allow Supportive Housing to be included as a use permitted by special use permit by the adoption of a new subsection 16-19C.003(15) which shall read as follows:

(15) Supportive Housing;

**Subsection 6S.** That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **Martin Luther King Jr. Landmark District (Institutional District Subarea 3)** allow Supportive Housing to be included as a permitted use by the adoption of a new subsection 16-20C.006(4) which shall read as follows:

(4) *Special permits:* The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

a. *Special use permits:*

(1) Supportive Housing;

**Subsection 6S(1).** That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **Martin Luther King Jr. Landmark District (Auburn Commercial District Subarea 4)** allow Supportive Housing to be included as a permitted use by amending subsection 16-20C.007(3) by striking the present language and adopting language which shall read as follows:

(3) *Special permits:* The following uses shall require a The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

a. *Special exceptions:*

1. Poolrooms, billiard parlors, amusement arcades.
2. Churches, synagogues, temples and other religious worship facilities where lot area is less than one (1) acre.

b. *Administrative permits:* Temporary commercial activities may be permitted through the procedures for administrative permits stipulated in chapter 25 of this part, except that such authority is vested with the executive director of the AUDC.

c. *Special use permits:*

1. Supportive Housing

**Subsection 6S(2).** That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **Martin Luther King Jr. Landmark District (Edgewood Commercial District Subarea 5)** allow Supportive Housing to be included as a permitted use by amending subsection 16-20C.008(3) by striking the present language and adopting language which shall read as follows:

(3) *Special permits:* The following uses shall require a The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

a. *Special exceptions:*

1. Mortuaries, funeral homes.
2. Poolrooms, billiard parlors, amusement arcades.
3. Churches, synagogues, temples and other religious worship facilities where lot area is less than one (1) acre.

b. *Administrative permits:* Temporary commercial activities may be permitted through the procedures for administrative permits stipulated in chapter 25 of this part, except that such authority is vested with the executive director of the AUDC.

c. *Special use permits:*

1. Supportive Housing

**Subsection 6T.** That Zoning Code of the City of Atlanta be amended such that the uses permitted in the **Baltimore Block Landmark District** allow Supportive Housing to be included as a permitted use by the adoption of a new subsection 16-20F.007 which shall read as follows:

Sec. 16-20F.007 *Special permits:*



The following uses shall require a special permit of the type indicated to be granted by the AUDC in accordance with the applicable provisions of chapter 25 of this part.

- a. *Special use permits:*
  - (1) Supportive Housing.

**Subsection 6U.** That Zoning Code of the City of Atlanta be amended to allow Supportive Housing as a use permitted by special use in the **Live Work Zoning District** by the adoption of a new subsection 16-33.006(1)(q) which shall read as follows:

(q) Supportive Housing

**SECTION 7.** This ordinance shall become effective immediately upon its approval by the Council and signature by the Mayor or by operation of law.

AN ORDINANCE

BY CONCIL MEMBERS CARLA SMITH, IVORY LEE YOUNG, JR. &amp; CLETA WINSLOW

*Carla Smith Ivory Lee Young Jr. Cleta Winslow*

**CORRECTING ORDINANCE NUMBER 04-O-0179/Z-04-24 WHICH AMENDED SECTION 16-29.001(16) "HUMAN SERVICES" INCLUDING PERSONAL CARE HOMES, REHABILITATION CENTERS AND NURSING HOMES BY CLARIFYING AND/OR REDEFINING CERTAIN TERMS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City Council did adopt on August 16, 2004 and the Mayor did approve on August 20, 2004 Ordinance # 04-O-0179 clarifying and/or redefining terms in the "Human Services" Section 16-29.001(16); and

**WHEREAS**, the SPI-18 the Mechanicsville Neighborhood District Regulations legislation does not allow Special Use Permits for Nursing and Personal Care Homes in Subareas 5 (Single-Family) & 6 (Two-Family); and

**WHEREAS**, the legislation clarifying and defining terms in the "Human Services" Section 16-29.001(16) inadvertently included these two (2) subareas and does allow Special Use Permits for Nursing and Personal Care Homes; and

**WHEREAS**, the neighborhood and the affected council members are in agreement that the ordinance identified in the 1<sup>st</sup> "Whereas" above should be amended to remedy the error which allows something the neighborhood is not in favor of.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA** as follows:

**SECTION 1:** That Subsection 26A of Section 26 is hereby amended as follows:

**Section 26** That the uses permitted in **SPI-18 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections

**Subsection 26A.** That the Table following Section 16-18R.005 of the Zoning Code of the City of Atlanta, be amended to reflect the following:

Personal Care Homes are no longer permitted by Special Administrative Permit. Personal Care Homes are permitted by Special Use Permit in **Sub-areas 1, 2, 3, 4 and 9**. This use is not permitted in **Sub-areas 5, 6, 7 and 8**.

Assisted Living Facilities and Rehabilitation Centers are permitted by Special Use Permit in Sub-areas 1, 2, 3, 4 and 9. These uses are not allowed in Sub-areas 5, 6, 7 and 8.

Convalescent Centers, Group Homes, Congregate Care Homes and Family Care Homes are removed from the list of uses.

Nursing Homes are permitted by Special Use Permit in **Sub-areas 1, 2, 3, 4 and 9**. This use is not permitted in **Sub-areas 5, 6, 7 and 8**.

**SECTION 2:** That all ordinances and parts of ordinances in conflict herewith be and are hereby waived.

A SUBSTITUTE ORDINANCE

BY ~~ZONING COMMITTEE~~

04-0-0179

Z-04-27

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE ZONING CODE OF THE CITY OF ATLANTA, FOR THE PURPOSE OF CLARIFYING AND/OR REDEFINING CERTAIN TERMS IN SECTION 16-29.001(16) "HUMAN SERVICES" AND INCLUDING PERSONAL CARE HOMES, REHABILITATION CENTERS, NURSING HOMES AND TO ADD A DEFINITION FOR ASSISTED LIVING FACILITIES; TO PROVIDE HOW PERMITS APPLICATIONS FOR SUCH USES ARE TO BE PROCESSED; TO REGULATE THE PARKING REQUIRED FOR SUCH USES; TO AMEND VARIOUS SECTIONS OF THE ZONING CODE TO SPECIFY WHERE AND HOW SUCH USES MAY BE PERMITTED AND FOR OTHER PURPOSES.

**WHEREAS**, interim controls have been placed on the processing of applications for Personal Care Homes to allow the Bureau of Planning to update its map of personal care homes and related used for the purpose of determining if an application meets the distance requirements and to review the other procedures used in processing such applications; and

**WHEREAS**, Section 16-29.001 of the City of Atlanta Zoning Code (the "Zoning Code") contains definitions of terms; and

**WHEREAS**, the Zoning Code also defines the various zoning classifications where uses are allowed and the manner in which uses are permitted in; and

**WHEREAS**, it is in the best interest of the city to clarify and amend certain definitions in the Zoning Code associated with Personal Care Homes in an effort to become more consistent with local, state, federal and county government regulations and to adopt legislation for that purpose; and

**WHEREAS**, it is in the best interests of the City and for the health, safety and welfare of its residents and businesses that these definitions be adopted to provide more specific guidance as to where personal care homes, assisted living facilities, and rehabilitation centers may be located, and to provide how such applications will be processed.

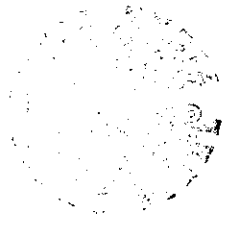
**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:**

**Section 1.** That Section 16-29.001(16) of the Zoning Code of the City of Atlanta be amended by striking the existing language and replacing it with the following:




3. All personal care homes must provide at least 80 square feet of personal living space per resident or that amount required by the State of Georgia for the licensing of personal care homes, whichever is greater.
4. No signs regulated by Chapter 16-28A shall be permitted other than those permitted by the regulations of the zoning district within which such personal care home is located.
5. Each location shall be within 1,500 feet of a public transportation station or transit stop or the operator of the personal care home shall be required to provide transportation service for its occupants as a condition of the special use permit.
6. Where such use is allowed in any zoning district, and no parking requirements for the use are specified, the parking requirements to be applied will be those governing residential uses but one additional space shall be required for each four beds.

**(b) Assisted Living Facility:** A personal care home as defined in this section but having 25 or more beds and which offers a range of accommodations that range from independent residential housing options to housing options with personal services. A residential use, which could otherwise be classified as multi-family is to be considered to be an Assisted Living Facility if it registered with or licensed by the State of Georgia as an assisted living home. Any dwelling, facility or structure which for any reason is not required to be licensed by or registered with the State of Georgia as an assisted living home, or fails to be licensed by or registered with the State of Georgia as an assisted living home but, which through its ownership or management undertakes for a fee or accepts a grant or utilizes its own funding to provide or arrange for the provision of housing, food service, and one or more personal services for any person and which also provides beds for twenty-four or more persons, who are not related to the owner or administrator by blood, marriage or adoption shall also be considered an assisted living home for the purpose of this definition. This definition shall apply without regard to whether any fee charged is paid by the individual to whom the services are provided or by another person, the source of the grant, or the funding source for the operational costs and without regard to whether the facility is operated for profit or not for profit. Personal services include but are not limited to individual assistance with or supervision of self-administered medication, and essential activities of daily living such as bathing, grooming, dressing and toileting. For the purposes of this ordinance, a "child caring institution" or "group-care facility" as defined in O.C.G.A. § 49-5-3 (as amended) shall also be considered with twenty-five (25) or more beds shall also be considered an assisted living facility. The approval and/or issuance of any special use permit for operation of an assisted living facility by the city may precede the issuance of permits or licenses from the State of Georgia, provided however that any special use permit granted under the terms of this part shall be conditioned on the issuance of the appropriate permits, licenses or registrations required by the State of Georgia.

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1. No such facility shall be located within 2,000 feet of any Personal Care Home, Assisted Living Facility, Community Service Facility as defined in O.C.G.A. §37-4-2, Nursing Home, Rehabilitation Center, or Supportive Housing Facility.
  2. The holder of any special permit issued in accordance with Sec. 16-25.001 *et seq.* of this part, whenever such permit was granted, shall make no alterations or additions to the primary structure for the purpose of increasing the number of persons to whom personal care services are provided.
  3. Any rehabilitation center having a residential component shall provide at least 80 square feet of personal living space per resident or provide that amount required by the State of Georgia for the licensing of personal care homes, whichever is greater.
  4. No signs regulated by Chapter 16-28A shall be permitted other than those permitted by the regulations of the zoning district within which such personal care home is located.
  5. A rehabilitation center also containing a residential component (with or without personal services), also provide rehabilitative services to non-residents, shall be required to provide one additional parking space for each 300 square feet of floor area (excluding the personal living space of the residents) in addition to compliance with any parking regulation of the zoning district governing parking for a residential use.
  6. Each location shall be within 1,500 feet of a public transportation station or transit stop or the operator of the personal care home shall be required to provide transportation service for its occupants as a condition of the special use permit.
  7. Any rehabilitation center applying for a special use permit relating to the location or relocation of a, drug rehabilitation center, or other facility for treatment of drug dependency shall be required to complete the application, sufficiently in advance of the date that final action is expected on the decision, to ensure compliance with the public hearing and posted notice requirements of O.C.G.A. § 36-66-4 (as amended).

**(d) Nursing Home:** This section adopts the definition of nursing home set forth in the Georgia Administrative Code 290-5-8-.01 (as it may be amended) which defines such use as a facility which admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision and which maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for any medical and/or dental emergency and who will be responsible for the general medical and dental



completed within six months of the date that such revocation or expiration became effective, the special permit will remain effective until the date that final action is taken on the application for transfer. An applicant who receives a special permit by transfer has six months after the date that the transfer becomes effective to obtain any license, permit or registration required by the State of Georgia, or the special permit shall be void. Any special permit, which becomes void pursuant to this sub-section shall not require any act by the governing body to revoke the permit for the continued operation of the use to be in violation of this part.

**Section 2.** That the uses permitted in **R-1 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

**Subsection 2A** That Section 16-03.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(g) Personal care homes and rehabilitation centers;

**Subsection 2B** That Section 16-03.005(1)(j) of the Zoning Code of the City of Atlanta, which reads as follows:

(j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

(j) Nursing homes;

**Subsection 2C.** That Section 16-03.005(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

(a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(a) Repealed;

**Subsection 2D.** That Section 16-03.010(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) Nursing homes, convalescent home and similar care facilities: one space



be repealed by striking the existing language and replacing it with the following:

- (3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six occupants, a second additional space is required.

**Section 4.** that the uses permitted in **R-2A zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

**Subsection 4A.** That Section 16-04A.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

- (g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

- (g) Personal care homes and rehabilitation centers;

**Subsection 4B.** That Section 16-04A.005(1)(h) of the Zoning Code of the City of Atlanta, which reads as follows:

- (j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

- (j) Nursing homes;

**Subsection 4C.** That Section 16-04A.005(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

- (a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

- (a) Repealed;

**Subsection 4D.** That Section 16-04A.010(3) of the Zoning Code of the City of Atlanta, which reads as follows:

- (3) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:



occupants, a second additional space is required.

**Section 6.** That the uses permitted in **R-3A zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

**Subsection 6A.** That Section 16-05A.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(g) Personal care homes and rehabilitation centers;

**Subsection 6B.** That Section 16-05A.005(1)(h) of the Zoning Code of the City of Atlanta which reads as follows:

(j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

(j) Nursing homes;

**Subsection 6C.** That Section 16-05A.005(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

(a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(a) Repealed;

**Subsection 6D.** That Section 16-05A.010(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:

(3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six occupants, a second additional space is required.



subsections:

**Subsection 8A.** That Section 16-06A.005(1)(g) of the Zoning Code of the City of Atlanta, which reads as follows:

(g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(g) Personal care homes and rehabilitation centers;

**Subsection 8B.** That Section 16-06A.005(1)(j) of the Zoning Code of the City of Atlanta which reads as follows:

(j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

(j) Nursing homes;

**Subsection 8C.** That Section 16-06A.005(2)(a) of the Zoning Code of the City of Atlanta, which reads as follows:

(a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(a) Repealed;

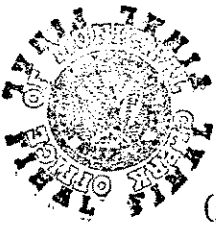
**Subsection 8D.** That Section 16-06A.010(3) of the Zoning Code of the City of Atlanta, which reads as follows:

(3) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:

(3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six occupants, a second additional space is required.

**Section 9.** That the uses permitted in **R-4B zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:



- (g) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

- (g) Personal care homes, and rehabilitation centers;

**Subsection 10B.** That Section 16-07.005(1)(j) of the Zoning Code of the City of Atlanta which reads as follows:

- (j) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

- (j) Nursing homes;

**Subsection 10C.** That Section 16-07.005(2)(b) of the Zoning Code of the City of Atlanta, which reads as follows:

- (a) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

- (a) Repealed;

**Subsection 10D.** That Section 16-07.010(4) of the Zoning Code of the City of Atlanta, which reads as follows:

- (4) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:

- (3) Nursing homes are required to have one space for each two employees and one additional space if there are three or fewer occupants. If there are four to six occupants, a second additional space is required.

**Section 11.** That the uses permitted in **R-G zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

**Subsection 11A.** That Section 16-08.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

- (f) Group home, congregate care home and rehabilitation centers;



be amended by striking the existing language and replacing it with the following:

- (b) Personal care homes, assisted living facilities and rehabilitation centers;

**Subsection 12B.** That Section 16-09.005(1)(c) of the Zoning Code of the City of Atlanta which reads as follows:

- (c) nursing homes, convalescent home and similar care facilities;

be amended by striking the existing language and replacing it with the following:

- (c) Nursing homes;

**Subsection 12C.** That Section 16-09.005(2)(c) of the Zoning Code of the City of Atlanta, which reads as follows:

- (c) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

- (c) Repealed;

**Subsection 12D.** That Section 16-09.011(2) of the Zoning Code of the City of Atlanta, which reads as follows:

- (2) Nursing homes, convalescent home and similar care facilities: one space per four beds

be repealed by striking the existing language and replacing it with the following:

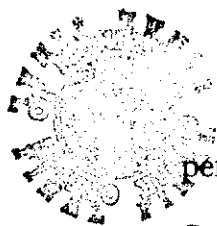
- (2) Nursing homes are required to have one space for each four beds. Personal care homes, assisted living facilities, and rehabilitation centers with a residential component are required to have the amount of parking specified by the Land Use Intensity Ratios Table.

**Section 13.** That the uses permitted in **O-I zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

**Subsection 13A.** That Section 16-10.003(5) of the Zoning Code of the City of Atlanta, which reads as follows:

- (5) Convalescent homes, nursing homes.;

be amended by striking the existing language and replacing it with the following



personal care homes;

**Subsection 14C.** That Section 16-11.005(2)(c) of the Zoning Code of the City of Atlanta, which reads as follows:

(c) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(c) Repealed;

**Section 15.** That the uses permitted in **C-2 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

**Subsection 15A.** That Section 16-12.003(21) of the Zoning Code of the City of Atlanta, which reads as follows:

(21) Convalescent homes, nursing homes;

be amended by striking the existing language and replacing it with the following notation:

(21) Repealed;

**Subsection 15B.** That Section 16-12.005(1)(d) of the Zoning Code of the City of Atlanta, which reads as follows:

(d) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

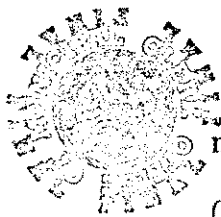
(d) Nursing homes, assisted living facilities, rehabilitation centers and personal care homes;

**Subsection 15C.** That Section 16-12.005(2)(c) of the Zoning Code of the City of Atlanta, which reads as follows:

(c) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be repealed by striking the existing language and replacing it with the following notation:

(c) Repealed;



notation:

(20) Repealed;

**Subsection 17B.** That Section 16-14.005(1)(e) of the Zoning Code of the City of Atlanta, which reads as follows:

(e) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(e) Nursing homes, assisted living facilities, rehabilitation centers and personal care homes;

**Subsection 17C.** Add Section 16-14.005(2)(e) of the Zoning Code of the City of Atlanta, to read as follows:

(e) Personal care homes;

**Section 18.** That the uses permitted in **C-5 zoning districts** by special use permit and special administrative permit be amended as set forth in the following subsections:

**Subsection 18A.** That Section 16-15.003(23) of the Zoning Code of the City of Atlanta, which reads as follows:

(23) Convalescent homes, nursing homes;

be amended by striking the existing language and replacing it with the following:

(23) Repealed;

**Subsection 18B.** That Section 16-15.005(1)(d) of the Zoning Code of the City of Atlanta, which reads as follows:

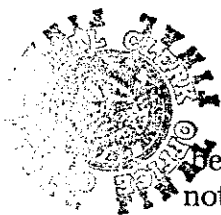
(e) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(e) Nursing homes, assisted living facilities, rehabilitation centers and personal care homes;

**Section 19.** That the uses permitted in **SPI-1 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections:

**Subsection 19A.** That Section 16-18A.003(20) of the Zoning Code of the City of



be amended by striking the existing language and replacing it with the following notation:

- (e) Rehabilitation centers;

**Subsection 20C.** That Section 16-18B.005(2)(d) of the Zoning Code of the City of Atlanta, which reads as follows:

- (d) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be amended by striking the existing language and replacing it with the following notation:

- (d) Repealed;

**Section 21.** That the uses permitted in **SPI-2 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections:

**Subsection 21A.** That Section 16-18B.003(20) of the Zoning Code of the City of Atlanta, which reads as follows:

- (18) Convalescent homes, nursing homes;

be amended by striking the existing language and replacing it with the following:

- (18) Nursing homes, personal care homes, assisted living facilities;

**Subsection 21B.** That Section 16-18B.005(1)(f) of the Zoning Code of the City of Atlanta, which reads as follows:

- (e) Group home, congregate care home and rehabilitation centers;

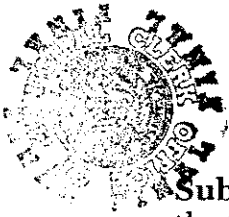
be amended by striking the existing language and replacing it with the following:

- (e) Rehabilitation centers;

**Subsection 21C.** That Section 16-18B.005(2)(d) of the Zoning Code of the City of Atlanta, which reads as follows:

- (d) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be amended by striking the existing language and replacing it with the following notation:



**Subsection 22E.** That Section 16-18K.004(6)(d)(1)(iv) of the Zoning Code of the City of Atlanta, which reads as follows:

(iv) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(iv) Nursing homes, personal care homes, assisted living facilities rehabilitation centers;

**Subsection 22F.** That Section 16-18K.004(6)(d)(2)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

(i) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be amended by striking the existing language and replacing it with the following notation:

(i) Repealed;

**Subsection 22G.** That Section 16-18K.004(7)(d)(1)(iv) of the Zoning Code of the City of Atlanta, which reads as follows:

(iv) Group home, congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following:

(iv) Nursing homes, personal care homes, assisted living facilities rehabilitation centers;

**Subsection 22H.** That Section 16-18K.004(7)(d)(2)(i) of the Zoning Code of the City of Atlanta, which reads as follows:

(i) Family care home and small family care home, subject to the limitations set forth in section 16-29.001(16);

be amended by striking the existing language and replacing it with the following notation:

(i) Repealed;

**Subsection 22I.** That Section 16-18K.004(8)(d)(1)(iv) of the Zoning Code of the City of Atlanta, which reads as follows:

(iv) Group home, congregate care home and rehabilitation centers;





**Section 24.** That the uses permitted in **SPI-16 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections:

**Subsection 24A.** That Section 16-18P.005(17) of the Zoning Code of the City of Atlanta, which reads as follows:

(17) Small family care home, family care home, group homes congregate care home and rehabilitation centers;

be amended by striking the existing language and replacing it with the following notation:

(t) Repealed;

**Subsection 24B.** That Section 16-18P.007(1) of the Zoning Code of the City of Atlanta, be amended by adding a new subsection (g) to read as follows:

(g) Nursing homes, personal care homes, assisted living facilities rehabilitation centers;

**Section 25** That the uses permitted in **SPI-17 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections:

**Subsection 25A.** That Section 16-18Q.007(1)(c) of the Zoning Code of the City of Atlanta, which reads as follows:

~~(c) Nursing homes and convalescent centers;~~

be amended by striking the existing language and replacing it with the following notation:

(c) Nursing homes, personal care homes, assisted living facilities and rehabilitation centers;

**Section 26** That the uses permitted in **SPI-18 zoning district** by special use permit and special administrative permit be amended as set forth in the following subsections

**Subsection 26A.** That the Table following Section 16-18R.005 of the Zoning Code of the City of Atlanta, be amended to reflect the following:

Personal Care Homes are no longer permitted by Special Administrative Permit. Personal Care Homes are permitted by Special Use Permit in Subareas 1, 2, 3, 4, 5, 6 and 9. This use is not permitted in Subareas 7 and 8.

04-0-0179

(Do Not Write Above This Line)

2-04-24

AN ORDINANCE  
BY: ZONING COMMITTEE

AN ORDINANCE TO AMEND THE  
1982 ZONING ORDINANCE  
OF THE CITY OF ATLANTA SO  
AS TO UPDATE AND REFORM  
THE PERSONAL CARE HOME  
PROCEDURES FOR  
PROCESSING PERMITS; TO  
UPDATE DEFINITIONS,  
TERMS AND MAPS RELATED  
TO PERSONAL CARE HOMES  
AND RELATED FACILITIES;  
AND FOR OTHER PURPOSES.

ADOPTED BY

AUG 1 6 2004

COUNCIL

SUBSTITUTE

- ☐ CONSENT REFER  
☒ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER

Date Referred 2/2/04

Referred To: ZRB & Zoning

First Reading  
Committee Date 2/2/04  
Chair George

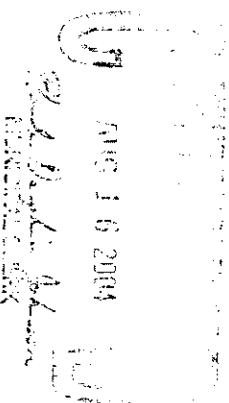
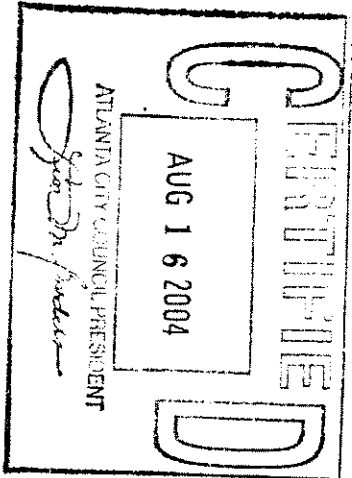
Committee	Date	Chair	Action	Fav, Adv, Held (see rev. side)	Other
Refer To					

Committee	Date	Chair	Action	Fav, Adv, Held (see rev. side)	Other
Refer To					

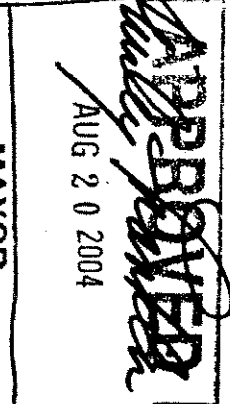
COUNCIL ACTION

- ☒ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED



MAYOR'S ACTION



City Council  
Atlanta, Georgia

06-0-0286

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-06-05  
Date Filed: 1-9-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2494 and 2510 Peachtree Road (a.k.a 2500 Peachtree Road) N.E.** be changed from the - RG-4-C -HBS (Residential General-Sector 4- Conditional/Historic Building/Site) and RG-4-C (Residential General-Sector 4-Conditional) Districts to the RG-4-C (Residential General-Sector 4-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 112, 17<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

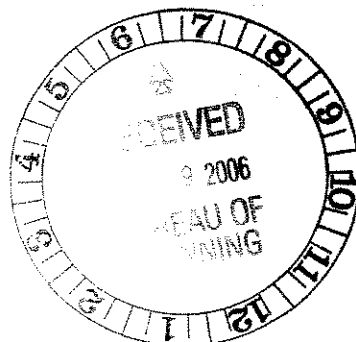
SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

2-06-05

## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 112 of the 17th District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at a point located at the Southwestern intersection of Peachtree Road and Muscogee Avenue; thence South along the Western Right-of-Way of Peachtree Road 400' to a 3/4" open top pipe and The True Point of Beginning; thence continuing along the western Right-of-Way of Peachtree Road S 05°21'48" W a distance of 99.94' to point; thence continuing along the western Right-of-Way of Peachtree Road an arc distance of 49.98' with a chord bearing of S 07°08'28" W a chord distance of 49.97'; thence continuing along the western Right-of-Way of Peachtree Road an arc distance of 104.39' with a chord bearing of S 14°34'09" W with a chord distance of 104.26'; thence continuing along the western Right-of-Way of Peachtree Road S 19°35'30" W a distance of 133.45' to a point; thence leaving said Right-of-Way N 69°59'13" W a distance of 399.90' to a 1/2" rebar found; thence N 17°15'56" E a distance of 180.26' to a 3/4" open top pipe found; thence N 04°55'26" E a distance of 100.18' to a 3/4" open top pipe found; thence S 85°16'22" E a distance of 401.55' to a 3/4" open top pipe on the Western Right-of-Way of Peachtree Road and The True Point of Beginning, having an area of 134407.62 square feet, 3.086 acres



SUBSTITUTE ORDINANCE



BY COUNCILMEMBERS IVORY YOUNG and  
MARY NORWOOD

06-0 -0007

Z-05-65

**AN ORDINANCE TO REZONE THE PORTION OF THE  
PROPERTY LOCATED AT 1821 W. ANDERSON AVENUE  
THAT IS ZONED R-4 (SINGLE FAMILY RESIDENTIAL)  
TO THE O-I (OFFICE INSTITUTIONAL)  
CLASSIFICATION; AND FOR OTHER PURPOSES.**

**WHEREAS**, the property located at 1821 W. Anderson Avenue is the site of the Sadie G. Mays Health and Rehabilitation Center which has operated at this site for over 50 years; and

**WHEREAS**, the property is partially zoned O-I (Office Institutional) and R-4 (Single Family Residential); and

**WHEREAS**, the physical structure is at the end of its useful life and will soon need to be replaced; and

**WHEREAS**, the directors of the Sadie G. Mays Health and Rehabilitation Center desire to build a new state of the art facility that will serve the needs of the community; and

**WHEREAS**, it is in the best interest of the community for the property to be rezoned so as to have a single zoning classification of O-I.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:**

**Section 1.** That the zoning designation for the portion of the property located at 1821 W. Anderson Avenue that is currently zoned R-4 (Single Family Residential) be changed to O-I (Office Institutional);

**SECTION 2:** If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled "Conditional Development", as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3: That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict with this ordinance are hereby waived for the purposes of this ordinance only.

AN ORDINANCE

BY COUNCILMEMBER IVORY YOUNG

05-0 -1205  
Z-05-65 & U-05-22  
Haywood

**AN ORDINANCE TO REZONE THE PORTION OF THE PROPERTY LOCATED AT 1821 W. ANDERSON AVENUE THAT IS ZONED R-4 (SINGLE FAMILY RESIDENTIAL) TO THE O-I (OFFICE INSTITUTIONAL) CLASSIFICATION, TO ISSUE A SPECIAL USE PERMIT FOR THE SUBJECT PROPERTY, AND FOR OTHER PURPOSES:**

**WHEREAS**, the property located at 1821 W. Anderson Avenue is the site of the Sadie G. Mays Health and Rehabilitation Center which has operated at this site for over 50 years; and

**WHEREAS**, the physical structure for this site is at the end of its useful life and will soon need to be replaced; and

**WHEREAS**, the directors of the Sadie G. Mays Health and Rehabilitation Center desire to build a new state of the art facility that will serve the needs of the community for years to come; and

**WHEREAS**, in order to proceed with these plans the portion of this property zoned R-4 will need to be rezoned to O-I; and

**WHEREAS**, a special use permit will be required to operate a nursing home on this site;

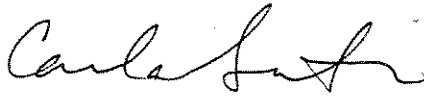
**NOW THEREFORE BE AND IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA AS FOLLOWS:**

**Section 1.** That the zoning designation for the portion of the property located at 1821 W. Anderson Avenue that is zoned R-4 (Single Family Residential) be changed to O-I (Office Institutional);

**Section 2.** That a special use permit be issued for the property located at 1821 W. Anderson Avenue permitting the Sadie G. Mays Health and Rehabilitation Center to operate a skilled nursing home on this site;

**Section 3.** That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.

AN ORDINANCE



U-05-22

BY COUNCILMEMBERS IVORY LEE YOUNG, JR. AND  
MARY NORWOOD

TO ISSUE A SPECIAL USE PERMIT FOR A NURSING  
HOME AT 1821 W. ANDERSON AVENUE (a.k.a. 31  
ANDERSON AVENUE); TO WAIVE THE 2,000 FOOT  
DISTANCE REQUIREMENT FOR THIS LOCATION;  
AND FOR OTHER PURPOSES.

**WHEREAS**, the property located at 1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue) is the site of the Sadie G. Mays Health and Rehabilitation Center which has operated at this site for over 50 years; and

**WHEREAS**, the center provides a much needed service to the community; and

**WHEREAS**, the physical structure is at the end of its useful life and will soon need to be replaced; and

**WHEREAS**, the directors of the Sadie G. Mays Health and Rehabilitation Center desires to build a new state of the art facility that will serve the needs of the community; and

**WHEREAS**, the center has shown a commitment to the community which has greatly benefited from its location in the community;

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows**

**SECTION 1.** The 2,000 foot distance requirement set forth in 16-29.001(16)(d)(1) be waived for the property located at 1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue).

**SECTION 2.** That A Special Use Permit be issued for a Nursing Home in favor of the Sadie G. Mays Health and Rehabilitation Center located at 1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue).

**SECTION 3.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby waived for the purposes of this ordinance only.



City Council  
Atlanta, Georgia

AN ORDINANCE  
BY: ZONING COMMITTEE

Z-06-45  
Date Filed: 4-11-06

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **705 Pershing Avenue, S.E.**, be changed from the R-4 (Single-family residential) District to the R-4A (Single-family residential) District, to wit:

ALL THAT TRACT or parcel of land lying and Land Lots 24 of the 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

WARREN S. GRIFFIN, RLS  
66 Wilshire Walk  
Douglasville, Ga 30134

Phone (770) 378-2979  
FAX(770)947-2714  
theodalot@aol.com

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Thursday, April 06, 2006

705 Pershing Avenue

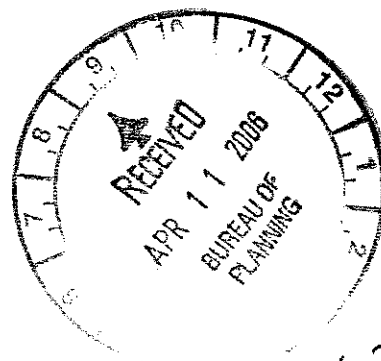
Legal description:

All that tract or parcel of land lying and being in Land Lot 24 of the 14<sup>th</sup> District of Fulton County, Georgia, and being more particularly described as follows:

Beginning at a 2" open top pipe found at the intersection of the easterly 40' R/W of Morley Avenue with the Northerly 50' R/W of Pershing Avenue said pipe being at the POINT OF BEGINNING. From this POINT OF BEGINNING, thence; S00 04 35E 49.72' to a 1 ½" open top pipe at the northwest corner of lot 1 of the 705 Pershing Avenue Subdivision, thence; S89 06 32E 201.74' along the southerly 50' R/W of Pershing Avenue to a ½" rebar found at the northeast corner of lot 4, thence; leaving the R/W of Pershing Avenue S13 52 37W 275.77' to a ½" rebar found. Thence; N88 52 23 W 140.95' to a 1/4" rebar found, Thence, N01 08 28E 268.14' to the 1 ½" open top pipe found at the northwest corner of lot 1. This parcel contains 1.056 acres, or 46,001 square feet, as shown on a plat of survey of a plat entitled "Subdivision of the Property at 705 Pershing Avenue" by Warren S. Griffin, Ga RLS#2757.

Warren S. Griffin, Ga RLS#2757

*Warren S. Griffin*  
Signature



2-06-45

RCS# 231  
5/01/06  
3:04 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE      06-O-0952, 0953, 0954, 0955, 0956, 0957,  
06-O-0958, 0959, 0960, 0961, 0962 & 0967  
REFER

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
NV Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE

City Council  
Atlanta, Georgia

**06-0145**

AN ORDINANCE  
BY: ZONING COMMITTEE

**Z-05-134**  
Date Filed: 12-13-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the city of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **2228 Bicknell Street, S.E.**, be changed from R-4 (Single-family Residential District to the PD-H (Planned Development-Housing) District, to wit.

ALL THAT TRACT or parcel of land lying and being Land Lot 70, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Chapter 19 entitled, "Planned Development District", and Chapter 19A through Chapter 19D (as applicable) of the Zoning Ordinance of the City of Atlanta, and the Director, Bureau of Buildings, shall issue a building permit for the development of the above described property only in compliance with the applicable provisions of these Chapters and with the attached conditions.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

EXHIBIT A

2-05-139

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 70 OF THE 14TH DISTRICT, IN THE CITY OF ATLANTA, FULTON COUNTY, GEORGIA, BEING LOTS 21, 21B AND PART OF LOT 208, LAFAYETTE PARK SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 10, PAGE 142, FULTON COUNTY RECORDS, CONTAINING 1.413 ACRES, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

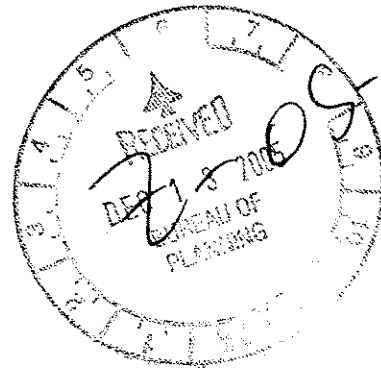
TO FIND THE TRUE POINT OF BEGINNING, BEGIN AT THE POINT OF INTERSECTION OF THE CENTERLINES OF BICKNELL STREET AND POLAR ROCK ROAD, THENCE SOUTH 38 DEGREES 25 MINUTES 44 SECONDS WEST ALONG THE CENTERLINE OF BICKNELL STREET, 101.61 FEET THENCE CONTINUING ALONG SAID CENTERLINE SOUTH 33 DEGREES 36 MINUTES 32 SECONDS, WEST 54.62 FEET; THENCE ALONG SAID CENTERLINE AND FOLLOWING THE CURVATURE THEREOF AN ARC DISTANCE OF 45.83 FEET, HAVING AN EASTERLY RADIUS OF 116.50 FEET AND BEING SUBTENDED BY A CHORD OF SOUTH 22 DEGREES 49 MINUTES 36 SECONDS, WEST 45.54 FEET; THENCE LEAVING SAID CENTERLINE SOUTH 59 DEGREES 15 MINUTES 54 SECONDS, EAST 154.27 FEET TO AN ANGLE IRON AND THE TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, THENCE SOUTH 59 DEGREES 15 MINUTES 54 SECONDS EAST, 196.45 FEET TO AN IRON PIN PLACED; THENCE SOUTH 06 DEGREES 23 MINUTES 52 SECONDS WEST, 279.00 FEET TO AN IRON PIN PLACED; THENCE NORTH 53 DEGREES 22 MINUTES 07 SECONDS WEST 257.95 FEET TO AN ANGLE IRON ON THE SOUTHERLY RIGHT OF WAY LINE OF BICKNELL STREET, THENCE NORTH 13 DEGREES 30 MINUTES 14 SECONDS, WEST 209.13 FEET ALONG THE SOUTHERLY RIGHT OF WAY LINE OF BICKNELL STREET TO AN ANGLE IRON ENLARGED ALONE; THENCE SOUTH 58 DEGREES 32 MINUTES 12 SECONDS EAST, 111.82 FEET TO AN IRON PIN PLACED; THENCE NORTH 16 DEGREES 04 MINUTES 10 SECONDS EAST 81.97 FEET TO THE ANGLE IRON AT THE TRUE POINT OF BEGINNING, SAID COURSED AND DISTANCES BEING TAKEN FROM A SURVEY FOR THOMAS B. WATKINS, DATED January 23, 1985 PREPARED BY METRO ENGINEERING AND SURVEYING CO., INC., BEING THE SEAL OF CHESTER M. SMITH, JR., GRLS NO. 1445.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 70 OF THE 14TH DISTRICT, IN THE CITY OF ATLANTA, FULTON COUNTY, GEORGIA BEING LOT 29, LAFAYETTE PARK SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 10, PAGE 142, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN ON THE SOUTHERLY RIGHT OF WAY OF BICKNELL STREET, AS NOW LOCATED, 100 FEET EASTERLY FROM THE INTERSECTION FORMED BY THE SOUTHERLY RIGHT OF WAY LINE OF BICKNELL STREET AND THE EASTERLY RIGHT OF WAY LINE OF BICKNELL DRIVE AS MEASURED ALONG THE SOUTHERLY RIGHT OF WAY OF BICKNELL STREET, THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF BICKNELL STREET 244 FEET TO AN IRON PIN PLACED; THENCE SOUTHEASTERLY ALONG AN OLD FENCE LINE 273 FEET TO AN IRON PIN FOUND; THENCE RUNNING SOUTHERLY AT AN INTERIOR ANGLE WITH THE LAST PRECEDING LINE OF 108 DEGREES 09 MINUTES, 757 FEET TO AN IRON PIN PLACED; THENCE NORTHWESTERLY AT AN INTERIOR ANGLE OF 42 DEGREES WITH THE LAST PRECEDING LINE 62.2 FEET TO AN IRON PIN PLACED; THENCE NORTHWESTERLY AT AN

**EXHIBIT A**  
(Continued)

INTERIOR ANGLE WITH THE LAST PRECEDING LINE 154 DEGREES 11 MINUTES 390.8 FEET TO AN IRON PIN FOUND; THENCE NORTHWESTERLY AT AN INTERIOR ANGLE OF 211 DEGREES 02 MINUTES WITH THE LAST PRECEDING LINE 410.7 FEET TO THE IRON PIN AT THE POINT OF BEGINNING, SAID COURSES AND DISTANCES BEING TAKEN FROM A SURVEY FOR ANNE S. WATKINS, DATED July 1967, PREPARED BY STREET & BOYD LAND SURVEYORS, BEARING THE SEAL OF THOMAS B. BOYD, GRLS NO. 1483.



**City Council  
Atlanta, Georgia**

**06-O-0944**

**A SUBSTITUTE ORDINANCE  
BY ZONING COMMITTEE**

**Z-06-56**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ATLANTA AND THE MAPS ESTABLISHED IN CONNECTION WITH THE PROPERTY LOCATED AT 695 NORTH AVENUE AND TO WAIVE THE PROVISIONS OF SECTION 16-27.002(3) OF THE ZONING ORDINANCE OF THE CITY OF ATLANTA, ENTITLED "AMENDMENTS," SOLELY FOR THE PURPOSES OF THIS ORDINANCE; TO WAIVE THE PROVISIONS OF SECTION 16-28.023(2); AND FOR OTHER PURPOSES.**

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS:**

**SECTION 1.** That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed, so that the following property located at 695 North Avenue be changed from the MRC-3-C (Mixed Residential Commercial - Conditional) District and the I-1 (Light Industrial) District to the PD-MU (Planned Development - Mixed Use) District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 18, 14th District, Fulton County, Georgia being more particularly described by the attached legal description.

**SECTION 2.** If this amendment is approved under the provisions of Chapter 19 and Chapter 19B of the Zoning Ordinance of the City of Atlanta, entitled "Planned Development Districts," and "Planned Development--Mixed Use Regulations," respectively, the Director, Bureau of Buildings shall issue a building permit for the development of the above-described property only in compliance with the applicable provisions of these Chapters and with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

**SECTION 3.** In recognition of the efforts to preserve the Excelsior Mill, a building which is to be designated with the Landmark Building or Site overlay, the Transferable Development Rights, presently associated with that portion of the site that are to be so designated, shall remain available to the applicant after the rezoning to PD-MU. For the purposes of this rezoning, the portion of the property which is to be zoned PD-MU/LBS shall not be subject to the restriction set forth in Sec. 16-28.023(2) of the Land Development Code which does not allow for the transfer of development rights in zoning districts where development rights are not measured. The Transferable Development Rights for that portion of the PD-MU property that are designated as a Landmark Building or Site shall be available to the owner and shall be measured as if the property were zoned MRC-3-C.

**SECTION 4.** That the provisions of Section 16-27.002(3) of the Zoning Ordinance of the City of Atlanta, entitled "Amendments," be waived solely for the purposes of this ordinance.

**SECTION 5.** That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance

## **CONDITIONS FOR Z-06-56 for 695 North Avenue, N.E.**

1. As used herein, Sidewalk-Level shall be defined as any floor of a building with a finished-floor elevation less than or equal to five feet above the adjacent sidewalk or less than or equal to five feet below the adjacent sidewalk.
2. As used herein, Storefront Treatment shall be a building design that:
  - a. Does not provide storage, digital industry switchboards, power generators and other relay equipment and rooms housing such equipment within a minimum depth of 20 feet of the ground floor street frontage beginning at any building façade along the public sidewalk.
  - b. Does not provide a length of façade without intervening fenestration or entryway exceeding 20 feet unless required by the Bureau of Buildings.
  - c. Provides fenestration for a minimum of 75 percent of the length of a Sidewalk Level facade:
    - i. Beginning at a point not more than three feet above the sidewalk, to a height no less than ten feet above the sidewalk or,
    - ii. Beginning at the finished floor elevation to a height no less than ten feet above the finished floor elevation when the finished floor elevation is three or more feet above the sidewalk or
    - iii. Beginning at a point not more than sidewalk level, to a height no less than ten feet above the finished floor elevation when the finished floor elevation is below the sidewalk.
  - d. Does not utilize painted glass, reflective glass or other similarly treated or opaque windows. Entrances may be counted towards fenestration requirements.
  - e. Includes a minimum Sidewalk Level floor-to-floor height of 15 feet.
3. As used herein, Residential Treatment shall be a building design that:
  - a. Provides doors and vertical windows arranged horizontally at the Sidewalk Level,
  - b. Provides windows for a minimum of 30 percent of the total Sidewalk Level street façade area, with each façade being calculated independently,
  - c. Provides porches or a stoop at each Sidewalk Level entrance
  - d. Does not allow garage doors opening onto the street.
4. Buildings shall have a maximum height of 90 feet.



5. No parking deck height shall extend beyond the height of new adjacent buildings on the same parcel.
6. The Site Plan shall be The Excelsior on North for 695 North Avenue submitted by the applicant on 7/10/06. Development controls, including parking ratios, Open Space requirements, minimum supplemental zones, and minimum setbacks shall be as shown on the Site Plan. The footprint for the New Residential Building shown on the Site Plan is for illustrative Purposes only and may be varied to the extent that it does not conflict with other conditions contained herein. Additionally, built floor area, unit number, lot coverage, and parking ratios shown in the Land Use Intensity Information chart on the Site Plan may be increased or decreased, provided that such change does not conflict with other conditions contained herein.
7. The Applicant agrees to preserve the building on the subject property, formerly known as the Dupre Excelsior Mill, in a manner consistent with the report attached hereto as Exhibit "A" by Ray & Associates, as commissioned by the Atlanta Preservation Center. As shown in Exhibit "B" which includes three AUDC-approved pages, the shaded areas may be demolished without any special permission, in accordance with the rules for demolition of structures in the City of Atlanta. Demolition of any of the remaining portions (areas not shaded) of the building (interior and exterior) indicated on the site plan shall occur only by application and approval of the Planning Department, with administrative approval provided by the Atlanta Urban Design Commission. The Applicant further agrees to be sensitive to the historic fabric of the interior of the buildings and, to the greatest extent possible, will ensure that any refurbishment that obscures the historical character of the building will be constructed in a manner so that the refurbishment may be reversible.

The following general regulations shall apply to the preservation efforts relating to the remaining portions of the Excelsior Mill Building located at 695 North Avenue, NE, Atlanta, GA:

- a. A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships. (This would not prohibit the division of the interior space into individual residential units.)
- b. The historical character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property shall be avoided.
- c. Each property shall be recognized as a physical record of its time, place and use. Changes shall not be undertaken that create a false sense of historical development, such as adding conjectural features or elements from other historic properties.
- d. Changes to a property that have acquired historic significance in their own right shall be retained and preserved.
- e. Distinctive materials, features, finishes and construction techniques, or examples of craftsmanship that characterize a property, shall be preserved.
- f. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, texture, and, where possible, materials.
- g. Chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials shall not be used.
- h. Archaeological resources shall be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
- i. New additions, exterior alterations, or related new construction, shall not destroy historic materials, features, and spatial relationships that characterize the property. The new work may be differentiated from the old and shall be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- j. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Satisfaction of general regulations a-j above shall be confirmed by the Planning Department, and administrative approval of the Atlanta Urban Design Commission staff.

8. The following standards shall be required:

- a. The western parking deck facade shall be completely screened from view at street level with a liner building to surround the deck, except at Sidewalk Level ingress and egress.
- b. The eastern parking deck facade shall not extend above the elevation of the current railroad tracks on the adjacent BeltLine.
- c. The southern parking deck facade shall be subject to the following:
  - i. When located adjacent to a required fire access lane, shall be screened with landscaping, such as trumpet vines, confederate jasmine, or five leaf akebia, or
  - ii. When not located adjacent to a required fire access lane, shall meet the landscaping requirements of (i) above or shall be completely enclosed and treated with materials matching the building façade directly above it.
- d. The Residential Treatment of the proposed new building on the subject property shall be designed substantially in the manner shown on the conceptual building elevation entitled, "North Angier Avenue Elevation," and attached hereto. Other specific design requirements shall include, but not be limited to, the following:
  - i. Sidewalk-level entrances shall be provided for all first level units along North Angier Avenue.
  - ii. The materials on the east façade of the building shall be substantially similar to those on the west facade of the building, with the exception of Sidewalk Level requirements.
- e. Restricted uses:
- f. Dumpsters and/or loading docks shall be screened from any adjacent street or any adjacent park.
- g. The following uses are prohibited: adult businesses, truck stops, automobile service and gasoline stations; car washes; new and used car sales; repair garages; paint and body shops; plumbing and air conditioning service and repair; repair of lawn mowers and other outdoor mechanical equipment; commercial greenhouses; laundry and dry cleaning plants; mortuaries and funeral homes; security storage centers; and digital industry switchboards, power generators and other relay equipment as a primary use.

9. Building façade treatments:

- a. Along North Angier Avenue new buildings shall provide a Sidewalk Level Storefront Treatment or Residential Treatment adjacent to the street.
- b. Buildings with a Sidewalk-Level Residential Treatment shall be permitted to have steps and balconies encroaching over or into the sidewalk clear zone a maximum depth of four feet. After accounting for said steps and balconies, a minimum sidewalk clear zone of six feet shall remain for pedestrian passage.
- c. The following materials are prohibited on the first two stories of street-facing façades: vinyl siding, solid vinyl windows, Exterior Insulation Finish Systems (EIFS), or similar wall finish treatments.
- d. Window frames shall be recessed a minimum of two inches from the exterior façade.
- e. No exterior stairs seen from the street shall be made of wood, and risers shall be enclosed.
- f. Exterior chimneys shall extend to the ground.
- g. Porches and balconies shall be a minimum of four feet in depth and four feet in width.
- h. Exterior columns shall have a minimum width of five and one-half inches.

10. Foundations shall be faced in brick, terracotta, stone, masonry with the appearance of brick, terracotta or stone, poured-in-place rubbed concrete, or hard coat stucco.

11. At least one point of pedestrian access shall be provided from the development to the proposed BeltLine transit greenway and within the zone shown on the Site Plan. Said access shall be installed by the later of: a) within six months of completion of a multi-use trail along the abutting BeltLine, or b) within six months of receipt of a certificate of occupancy.

12. Section 16-28.015 notwithstanding, the project shall not be required to provide more than two off-street loading spaces. Said spaces shall have a minimum dimension of 12 feet by 35 feet and a vertical clearance of 14 feet.

13. Minimum sidewalk requirements shall be as follows:

- a. Along North Avenue, a minimum five foot street furniture and tree planting zone and a minimum ten foot clear zone.
- b. Along North Angier Avenue and adjacent to or north of the Excelsior Mill building, minimum sidewalk widths shall match existing widths.
- c. Along North Angier Avenue and south of the Excelsior Mill building, a minimum five foot street furniture and tree planting zone and a minimum

ten foot clear zone. The clear zone may be reduced to a minimum width of six feet as necessary to provide on-street parallel parking.

- d. Where a street furniture and tree planting zone is required, street trees shall be planted a maximum of fifty feet on-center in said zone.



CITY COUNCIL  
ATLANTA, GEORGIA

**06-0-1074**  
**Z-06-064**

AN ORDINANCE  
BY: ZONING COMMITTEE

AN ORDINANCE DESIGNATING THE DuPRE MANUFACTURING COMPANY MILL (a/k/a EXCELSIOR MILL AND THE MASQUERADE), LOCATED AT 695 NORTH AVENUE, NE, LAND LOT 18, OF THE 14<sup>TH</sup> DISTRICT OF FULTON COUNTY, GEORGIA AND CERTAIN REAL PROPERTY ON WHICH IT IS LOCATED, TO THE OVERLAY ZONING DESIGNATION OF LANDMARK BUILDING OR SITE PURSUANT TO CHAPTER 20 OF THE ZONING ORDINANCE OF THE CITY OF ATLANTA AND REZONING FROM PD-MU (PLANNED DEVELOPMENT-MIXED USE) TO PD-MU/LBS (PLANNED DEVELOPMENT-MIXED USE/LANDMARK BUILDING OR SITE); TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. That the property known as DuPre Manufacturing Company Mill (a/k/a Excelsior Mill and The Masquerade), located at 695 North Avenue, NE, Land Lot 18, of the 14<sup>th</sup> District of Fulton County, Georgia, and more fully described as Attachment "A-1" to this ordinance, which attachment is incorporated herein, met the criteria for Landmark Building or Site as set forth in the Nomination Resolution of the Urban Design Commission attached hereto as Attachment "B" and incorporated herein, and is hereby determined to be a Landmark Building or Site pursuant to Chapter 20 of the 1982 Zoning Ordinance of the City of Atlanta, as amended.

SECTION 2. That the 1982 Zoning Ordinance of the City of Atlanta, as amended, is hereby further amended by designating said property described in Attachment "A-1" to the overly zoning category "Landmark Building or Site" pursuant to Section 16-20.006 of the 1982 Zoning Ordinance of the City of Atlanta, as amended such

that all parts of the site described by the metes and bounds description in Attachment "A-2" and any structures located thereon are so designated.

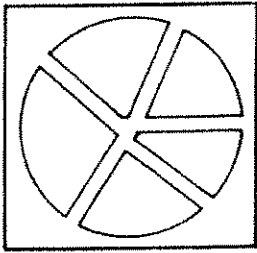
SECTION 3. That the 1982 Zoning Ordinance of the City of Atlanta, as amended, is hereby further amended so as to provide that the subject property bears, in addition to its PD-MU zoning classification, the overlay zoning designation "Landmark Building or Site", which designation should be officially abbreviated as "LBS" and shall immediately follow the abbreviation for the existing zoning classification. Said property is subject to all zoning regulations contained in the 1982 Zoning Ordinance of the City of Atlanta applicable to both the previously existing PD-MU and the general regulations governing Landmark Buildings or Sites contained in Chapter 20 of the 1982 Zoning Ordinance, as amended, as well as any other applicable laws and regulations.

SECTION 4. That the Commission determined that there are non-contributing structures and additions within the boundaries of the property proposed for designation that have been added to the site over the years and do not reflect the defining characteristics of the original buildings in materials, construction or craftsmanship. Therefore, the Commission determined that the buildings delineated on the map attached hereto as Attachment "A-3", which attachment is incorporated herein, can be demolished without obtaining Type IV Certificates of Appropriateness. Provided however, that any building permit for the demolition of the non-contributing structures and additions shall be reviewed and approved by the Staff of the Urban Design Commission prior to the issuance of such permit to ensure that only those non-contributing structures and additions marked on Attachment "A-3" are being removed and that the demolition shall not affect the character of the contributing structures.

SECTION 5. That all ordinances or parts of ordinances in conflict with this ordinance are repealed.







ATLANTA  
URBAN DESIGN  
COMMISSION

ATLANTA CITY HALL  
55 TRINITY AVENUE, SW  
SUITE 3400  
ATLANTA, GEORGIA 30335-0331  
(404) 330-6200

LBS-05-078

### **RESOLUTION**

**Whereas**, the Executive Director of the Atlanta Urban Design Commission initiated the nomination process by mailing the appropriate Notice of Intent to Nominate to the property owners of the DuPre Manufacturing Company Mill (a/k/a Excelsior Mill or The Masquerade) pursuant to Subsection (b) of the City of Atlanta Code of Ordinances, Section 16-20.005

**Whereas**, the Executive Director caused to be conducted extensive research regarding this proposed nomination and has compiled a written report stating the findings and recommendations regarding the historic, architectural and cultural significance of said nomination pursuant to Subsection (d) of said code section, which report, Exhibit "A", is attached to this resolution and is hereby incorporated by this reference; and

**Whereas**, a public hearing was held by this Commission to consider said nomination after appropriate public notice was provided as required by Subsection (e) of said code section; and

**Whereas**, this Commission has reviewed and considered said designation report as well as all other testimony, documentation and other evidence presented to it, including the testimony of all interested members of the public and the property owner pursuant to Subsection (e) of said code section; and

**Now therefore be it resolved** by the Urban Design Commission of the City of Atlanta as follows:

**Section 1.** That the designation report caused to be prepared by the Executive Director of the Urban Design Commission is hereby adopted by this Commission and shall constitute the Findings of Fact upon which this nomination is based.

**Section 2.** That the Commission hereby determines that the DuPre Manufacturing Company Mill, a map of which delineating all boundaries is attached hereto as Exhibit "B", hereby incorporated by this reference, is architecturally, historically, and culturally significant.

**Attachment "B"**

**Section 3.** That the Commission hereby determines that there are non-contributing structures and additions within the boundaries of the property proposed for designation that have been added to the site over the years and do not reflect the defining characteristics of the original buildings in materials, construction or craftsmanship. Therefore, the Commission has determined that the buildings delineated on the map attached hereto as Exhibit "C", hereby incorporated by this reference, can be demolished without obtaining Type IV Certificates of Appropriateness. Provided however, that any building permit for the demolition of the non-contributing structures and additions shall be reviewed and approved by the Staff of the Urban Design Commission prior to the issuance of such permit to ensure that only those non-contributing structures and additions marked on Exhibit "C" are being removed and that the demolition shall not affect the character of the contributing structures.

**Section 4.** That the Commission further determines the DuPre Manufacturing Company Mill to be eligible for designation to the category of Landmark Building or Site (LBS), with the exceptions as noted above, as meeting, at a minimum, the eligibility criteria set forth in Section 16-20.004(b)(1), specifically including subsections b., and c. of this code section. The DuPre Manufacturing Company Mill is located at 695 North Avenue, NE, in Land Lot 18 of the 14<sup>th</sup> District of Fulton County, Atlanta, Georgia.

**Section 5.** That the Commission hereby further determines that said DuPre Manufacturing Company Mill meets the criteria set forth in Section 16-20.004(b)(2)a., specifically including those criteria in the following groups: Group I (2); Group II (1), (5), (11); and Group III (1) (2).

**Section 6.** That the Commission, having determined that the DuPre Manufacturing Company Mill meets or exceeds the criteria as set forth herein, hereby nominates the DuPre Manufacturing Company Mill to the category of Landmark Building of Site (LBS) pursuant to Section 16-20.005(e)(3).

**Section 7.** That the Commission hereby directs the Executive Director to transmit this resolution including all supporting documentation to the Chair of the Zoning Committee of the Atlanta City Council, to the Commissioner of the Department of Planning and Community Development, and to notify by first class mail the owner of the DuPre Manufacturing Company Mill.

Approved and nominated by the Atlanta Urban Design Commission on April 12, 2006.

  
John Threadgill, Chair  
Atlanta Urban Design Commission

DuPRE MANUFACTURING COMPANY MILL  
(a/k/a Excelsior Mill and  
The Masquerade)  
695 North Ave., NE, corner of Angier Ave.  
Fronting 142.05' on the south side of North Ave.,  
and 582.46' on the east side of Angier Ave.  
District 14, Land Lot 18  
Fulton County, City of Atlanta  
Existing Zoning I-1

LBS-05-078  
Proposed Designation:  
Landmark Building -  
Exterior

Constructed: Circa 1901  
Architects: Unknown

### SIGNIFICANCE/ANALYSIS

This is the only existing excelsior mill in Atlanta, and it is of particular interest because portions of the original excelsior manufacturing equipment are still in place in the buildings. Currently there are two buildings with several additions. No building permits were found for the mill buildings, but the mill was built and went into production at this location, perhaps as early as 1901. The mill buildings, and the manufacturing operations that took place there, were always owned and managed by the DuPre family, beginning at the turn of the twentieth century with Frank F. DuPre. His son, Walter E. DuPre, joined the company upon his graduation from the Georgia Institute of Technology in 1907. Walter E. DuPre and his sister Ida L. DuPre Bryant inherited the company in equal shares after their father's death in 1913. Walter E. DuPre was responsible for running the company. In 1940, he bought out his sister and was sole owner until his death in 1951. His son, Walter E. DuPre, Jr. continued the operation until December 1963, when he and his wife died in a hotel fire in Jacksonville, Florida. DuPre Excelsior Manufacturing Company stopped production in 1966, and the property was sold to Mellow Mushroom in the late 1970s.

### EXCELSIOR MILLS AND MANUFACTURE IN ATLANTA

Excelsior is defined as "stranded wood fibers manufactured...for use as protective packaging in wood crates and as filling material for bedding and furniture products."<sup>1</sup> It gained popularity in the last decade of the nineteenth century, and continued in general use until the middle of the twentieth century. Excelsior pads were a later aspect of the manufacturing process. Excelsior was replaced by plastic-based products such as foam rubber, polyurethane and polystyrene in the last half of the twentieth century.

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<sup>1</sup> American Excelsior Company. On the internet at [www.amerexcel.com/about\\_us\\_history.php](http://www.amerexcel.com/about_us_history.php).

In 1898, the Atlanta Excelsior Works was listed in the *Atlanta City Directory*. The Atlanta Excelsior Works was owned by Charles Cohen and located at McDonough and Washington Streets. That same year, Frank F. DuPre was listed as working at the Atlanta Excelsior Works, the first time he appeared in the directory. In 1900, Standard Excelsior Works was also in operation, and Frank F. DuPre must have changed jobs, as he was listed in the 1900 *Atlanta City Directory* as "proprietor" of Standard. That mill was located at the corner of Bellwood Avenue and the W. & A. Railroad, and appears to have been the direct forerunner of the North Avenue operation, which was first listed in the 1905 *Atlanta City Directory* as Standard Excelsior Works. The Atlanta Excelsior Works was listed as Atlanta Manufacturing Company in 1905 with an address of 41 Ridge Avenue, so it was a different company and probably a competitor. By 1910, DuPre was the only excelsior manufacturer listed in the *Atlanta City Directory*.

#### STANDARD EXCELSIOR WORKS AND DUPRE EXCELSIOR MANUFACTURING COMPANY

Frank F. DuPre founded the Standard Excelsior Works, probably in 1899 or 1900, and moved it to the current location around 1901. The name of the company was changed to DuPre Excelsior Manufacturing Company between 1907 and 1910.<sup>2</sup>

The company earned a great reputation for producing excellent quality excelsior, which probably explains its long life and monopoly position in Atlanta. DuPre excelsior was manufactured from peeled, dried, second growth pine. The selection of the wood was crucial and locating quality wood to purchase was not always easy and required an experienced lumber specialist. To assure a steady flow of timber, the company purchased several stands of timber and timber farms over the years (Attachments 14-16).<sup>3</sup> The wood was delivered by railroad and stacked and stored in large wood sheds to the south of the buildings (over the years the company purchased several parcels of land to extend their holding to the south and west). Once delivered to the site, the logs were peeled and cut to a size manageable by a human being. They were then fed to into the second floor of the manufacturing building through the open porch on the east end. There a row of cutting machines, which were hand-fed, shaved the wood into the four different grades of excelsior manufactured by the DuPre company. Those were fine, medium and coarse excelsior, and wood wool. The shaved wood fell onto a conveyor belt behind the cutting machines, which transported the excelsior to a chute, where it was dumped onto the lower level of the Manufacturing Building. On this floor the wood shavings were compacted into bales by machine, wrapped with rope or wire by hand, and were then ready for

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<sup>2</sup> *Atlanta City Directories*.

<sup>3</sup> DuPre family papers.

shipping.<sup>4</sup> As in any sawmill-type operation, workers were at high risk of injury. In 1916 the company paid \$850 to the mother of a twelve year old, black worker. His right hand had been injured working one of the machines and this resulted in the amputation of his right arm.<sup>5</sup>

After Frank DuPre died his children, Walter E. and Ida L. inherited the business in equal shares. His will gave Walter fifty percent of the business clear, and Ida received lifelong use with the stipulation that her share would go to her children upon her death.<sup>6</sup> The siblings crafted agreements between themselves concerning the running of the company and financial distribution. Walter would operate the business and receive a salary in return. Profits from the company would be distributed in equal shares at certain intervals. At least five agreements were made between 1913 and 1921. Walter's salary was raised from \$100 dollars a month in 1913 to \$500 and a 50-cent bonus for each ton of excelsior sold by 1918. However, his salary was lowered to \$5000 a year by 1920 and to \$3600 by 1921.<sup>7</sup> It appears that the company fell on hard times during this period, but recovered and continued in operation until 1966. Some of the local customers at the time were Fulton Bag and Cotton Mills, the Southern Spring Bed Company, Simmons and the Georgia Chair Company. In 1940 Walter bought out his sister after a legal battle. It seems the two had some sort of falling-out, and were never again involved in the business together. Walter continued to run the company until his death in June 1951. His widow Essie then took over ownership of the company.

#### STANDARD EXCELSIOR WRAPPER COMPANY

In 1915, Walter E. DuPre started a parallel business to the DuPre Manufacturing Company with his sister and a business partner Joseph Spitz. Spitz had come to Atlanta from Appleton, Wisconsin and brought several pieces of woodcutting machinery with him into the business. The machinery was his part of the initial capitalization of the enterprise, whereas the DuPre siblings put up the starting capital of \$5000. The DuPres owned fifty percent of the shares (Walter had 30 percent, Ida 20 percent) and Spitz owned the other fifty percent (Attachment 16 is W. E. DuPre's stock certificate). An agreement dated October 5, 1915 between Walter, Ida and Spitz stated that Spitz would devote his entire time to this new company called Standard Excelsior Wrapper Company, Walter would be involved only when he was able to take time away from the existing business and Ida would not be involved in running the company at all.<sup>8</sup> Production took place in the same factory complex, on the second floor of the Warehouse.<sup>9</sup> The

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<sup>4</sup> Interview with Walter E. DuPre III.

<sup>5</sup> DuPre family papers.

<sup>6</sup> Frank F. DuPre's will, in DuPre family papers.

<sup>7</sup> DuPre family papers.

<sup>8</sup> DuPre family papers.

<sup>9</sup> Interview with Walter E. DuPre III.

Standard Excelsior Wrapper Company made excelsior pads, which consisted of a fine grade excelsior sandwiched between Kraft paper, and were used for shipping items like machinery that might be damaged by the excelsior fibers. The new business was a relatively short-lived venture, as the listing had disappeared by 1925.

## THE DuPRE FAMILY

Note: Most of the information in this section is taken from "Descendants of Benjamin DuPre, a genealogical list in the possession of Walter E. DuPre III. Frank F. DuPre was born July 18, 1856, the son of Augustus and Sarah Green DuPre, who lived near Fairburn in south Fulton County (formerly Campbell County). Most likely he worked for and then started a sawmill or excelsior business as early as 1875, but any details of the business or its location are unknown. He married Jennie Lenora Cook and they had two children, Walter Eugene (1885) and Ida L. (unknown, but two or three years older). Jennie Lenora DuPre died in 1887. Frank DuPre remarried some time later, and moved to Atlanta around 1898 - at the age of 42 (Attachment 20 shows the children shortly after they moved to Atlanta). He was first listed in the *Atlanta City Directory* that year as the Secretary-Treasurer for the Atlanta Excelsior Works. DuPre died June 30, 1913 at the age of 57, and was buried in the Enon Churchyard near Fairburn. Franklin Garrett described him as "prominent in local business circles."<sup>10</sup> Frank DuPre was survived by his second wife Lula (Talulah), a son (Walter E. DuPre), and a daughter (Ida L. DuPre Bryant). He was also survived by two brothers Edward P. and Henry L. DuPre, both of Atlanta, but neither of whom were ever involved in the excelsior manufacturing business. According to the *Atlanta City Directory*, Edward P. DuPre was a clerk/salesman for several Atlanta businesses, and Henry L. DuPre started as a conductor on the Atlanta "Ry" & P Company. By 1950 he was a manager at Lanier Brothers.

Walter E. DuPre, Sr., son of Frank F. DuPre and Jennie Lenora Cook, was born in "old" Campbell (now part of Fulton) County in 1885. He graduated from Georgia Tech in 1907. As early as 1902, he worked in the excelsior factory, and returned to it after graduating from Tech. He and two of his classmates went on a trip to France the summer of their graduation (Attachments 21 and 22 show him during his Georgia Tech days, Attachment 23 shows him at work in the factory). Walter and his sister Ida DuPre Bryant took over the DuPre Manufacturing Company after their father's death in 1913. He married Essie Thelma Roberts in 1925 in Chattanooga, Tennessee. They had two children, Anne Roberts DuPre, born in 1927, and Walter E. DuPre, Jr., born May 16, 1928. Walter E. DuPre, Sr. died June 3, 1951 after an illness of several weeks. According to his obituary, he was survived by his wife Essie Thelma Roberts, originally of Fairburn, a son Walter E. DuPre, Jr., a daughter Mrs. Calvin R. Allen

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<sup>10</sup> Garrett's Necrology, on microfilm at the Atlanta History Center. Also *Atlanta Journal* and *Atlanta Constitution*, July 1, 1913, p. 2.

(Anne Roberts DuPre), his sister Ida Bryant and two grandchildren, all of Atlanta. He was a member of the Piedmont Driving Club, the Palestine Masonic Lodge, and the First Presbyterian Church.<sup>11</sup>

Essie Roberts DuPre, widow of Walter E. DuPre, Sr. was listed in the *Atlanta City Directory* as President of the company after Walter E. DuPre, Sr. died. She died in 1967. She was a graduate of Agnes Scott and of Columbia University.

Walter E. DuPre, Jr. was listed as Secretary in 1950, and continued to work in the company after his father's death. He attended college at the University of North Carolina, receiving a Bachelor of Arts degree in American History. He married Marie Josephine Cane of Atlanta, and they had five children (Walter E. DuPre III, Norman B. DuPre, John R. DuPre, Marie J. DuPre and Susan A. DuPre). Walter E. DuPre, Jr. and his wife died tragically in a Jacksonville, Florida hotel fire on December 29, 1963. Their youngest child was barely a month old at the time.

#### CURRENT PHYSICAL DESCRIPTION OF THE PROPERTY

The original mill was probably constructed around the turn of the century, and consisted of two two-story stone buildings oriented perpendicular to each other. One of the original buildings fronts on North Avenue and for clarity of this report will be called the Manufacturing Building, whereas the other building fronts on Angier Avenue and will be referred to as the Warehouse. The entire complex, consisting of the Manufacturing Building, the Warehouse, a large wood shed (removed after 1965) and a steam engine, was located along the Southern Railroad tracks. Several railroad sidings fed the enterprise.

As of today the two original main stone buildings still exist in their original configuration, but are partially concealed by a two-story metal-clad shed that combines with and encloses part of the east and all of the south façade of the Manufacturing Building and most of the north and east facades of the Warehouse. This shed will be called Wood Warehouse No. 1 (Sanborn). A second metal-clad shed is located in front of the Manufacturing Building, attached perpendicular to the Warehouse, along North Avenue. This building will be called Wood Warehouse No. 2.

##### The Manufacturing Building (c1901)

This building is two-stories high with solid granite block walls and a low-pitched roof. The current roofing material is corrugated, clear-colored plastic. Because of later additions to the building, the only façade fully exposed is the North Avenue side. This façade has six arched window openings with original windows on the second floor in a regular pattern. A door opening is located on either end of the first floor, with two window openings in between. The windows on this

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<sup>11</sup> *Atlanta Constitution*, June 4, 1951, p. 6.



lower level are boarded up and the doors are probably not original. The east façade has a two-story open-sided shed covered by an extension of the main roof. This shed supports and redirects the gears of the extensive pulley and wheels system still located on the second floor. Originally this system was probably powered by the 75 horsepower engine still located south of the shed. The engine was manufactured by Turbott in Richmond, Virginia. The south façade is partially concealed by Wood Warehouse No. 1. The west façade, now inside Wood Warehouse No. 1, has a large arched opening on the first floor and two narrow doorways on the second floor.

The interiors of both floors of the Manufacturing Building are open spaces. There is a large open area where the flooring has been removed to create a two-story space. The granite walls are exposed on the inside. The first-story floor is concrete and the second floor is 3" wide pine flooring. The ceiling on the first level is exposed planking from the floor above. The second story ceilings are exposed wood roof trusses and the translucent plastic roofing material. An extensive heavy-duty gear and pulley system still exists on the second floor of the building.

#### The Warehouse (c1901)

The Warehouse is two stories high and has a low-pitched roof. The first floor exterior is exposed granite block, whereas the second floor is metal clad, stamped in a brick pattern. This floor was always cladded, historically in iron clad as mentioned in the early Sanborn Fire Insurance Maps. It is not clear today whether the current clad is a replacement or an additional layer on top of the original cladding. Today the Warehouse is directly connected to the Manufacturing Building by Wood Warehouse No. 1. The Angier Avenue façade has only one large window opening and several smaller high-level openings on the first floor. All of them are boarded up. The second floor has four pairs of multi-light mill-type steel windows. The south façade is hidden by Wood Warehouse No. 1, which has a small two-story shed attached at the west corner. The upper floor of the shed has a pair of the same mill-type windows as the Angier Avenue façade of the Warehouse. This shed has two small windows on the west side and one small window on the south side of the lower level. The first floor of the north façade has four original window openings. The second floor of this elevation of the Warehouse is hidden by Wood Warehouse No. 2, which was added between 1925 and 1932.

The interior is of post and beam construction with the exterior granite walls exposed. The first floor is concrete now covered by a wood and concrete block platform. The second story floors are 6" wide pine planking. The first floor ceiling is exposed floor decking from above. The ceiling on the second floor has exposed trusses and roofing material.

Wood Warehouse No. 1 (constructed between 1925 and 1932, enlarged between 1932 and 1950)

Wood Warehouse No.1 is a two-story metal clad structure, mostly located to the south of the original buildings. It also encloses the formerly open passageway between the two original stone buildings.

Wood Warehouse No. 2 (constructed between 1925 and 1932)

This building runs perpendicular to the stone Warehouse. It is one-story with an open drive-under supported by metal columns on the eastern half, and two stories on the western half of the building. The Angier Avenue façade has granite block on the first floor and metal cladding on the second floor that match the Warehouse. Two smaller windows are located on the first floor. A pair of multi-light mill-type windows, matching the windows on the stone Warehouse, are located on the second floor. All second floor windows are this same type. The fenestration is irregular. On the west façade of the first floor are two small multi-light windows; the north façade has at least two multi-light windows (additional windows might be covered by the billboard), and at least two multi-light windows face east. On the second floor are two-multi-light windows facing west, east and south. Four visible multi-light windows can be seen on the north face, and there are possibly two more blocked by a commercial sign. An exterior staircase leads up to the second floor on the east side, probably above the former one-story office area. The west façade has a small one-story shed attached. This shed has small windows on all three sides.

#### Grounds

The 75 horsepower engine mentioned in the 1911 Sanborn fire map and a shavings burner, first mentioned in the 1925 Sanborn, and enlarged by 1932, are still in their original locations, but they may be under different ownership. The original factory property appears to be divided into two pieces. The boundary line (marked in red on Attachment 1) runs parallel to the railroad, and runs through the porch on the east end of the Manufacturing Building. The railroad sidings were removed after 1965. It also appears that the existing buttress retaining wall was altered at some time, when the tracks were raised to allow cars to travel on North Avenue without having to stop for rail traffic.

### NARRATIVE PHYSICAL HISTORY OF THE PROPERTY

This is taken from the following Sanborn Fire Insurance Maps: 1911, Volume 2, page 250, "special;" 1911, updated to 1925; 1932, Volume 2, page 261; 1932, updated to 1950; and 1932, updated to 1965.

The 1911 Sanborn map was the first to show the Du Pre[e] Manufacturing Company Excelsior Factory. Two two-story buildings were in existence, the Manufacturing Building and a large Warehouse. The Warehouse fronted on Angier Avenue; the Manufacturing Building on [East] North Avenue. The buildings were joined by an aerial walkway at the second level, and a large wood shed was also located on the north and east sides of the Manufacturing Building.

A 75 horsepower engine was in the east corner of the shed, and there must have been some sort of system to move the raw wood and finished product, as the Sanborn indicates there was a "carrier to R.R. cars." The second floor of the Warehouse was "iron clad," and a small one-story office was located on the north side of the building. Comments indicated there were two kinds of chemical fire retardants, steam heat and power, no lights, water from a well that was 10' in diameter and a watchman who made hourly rounds.

By 1925, the mill had city water and electricity, a sprinkler system, and the 75 horsepower engine was no longer in use. A shavings burner had been added south of the wood shed, and two small sheds to the north of the main buildings. The Sanborn indicates "Baling" was located on the first floor of the Manufacturing Building, and the "excelsior machines" on the second. The two buildings had also been connected by an open courtyard, which is now enclosed.

Unfortunately, beginning with the 1932 Sanborn, the mill was located in the upper left-hand corner of the map and partially obscured by the page number. The only major changes appear to be two-story additions on the north and south ends of the original Warehouse (Wood Warehouses No. 1 and No. 2). The only changes between 1932 and 1950 were the addition of a steel frame on the east end of Wood Warehouse No. 2, and the construction of a large cordwood shed to the southeast near the railroad tracks. It no longer exists.

By 1965, the address of the factory was 695 North Avenue. Another small one-story office had been added on the north end of Wood Warehouse No. 2. A new one-story warehouse, built in 1963, stood south of the older buildings on Angier Avenue. The Sanborn map indicates the factory was still manufacturing excelsior as late as 1965 (it ceased the following year).

## CRITERIA

### Group I – Historic

2. A building or site associated with an extremely important historical event, or trend of national, state or local significance.

### Group II – Architectural

1. A building or site that clearly dominates or is strongly identified with a street scene or the urban landscape.

5. A building or site which is an example of an exceptionally fine unique style or building type.

11. A building or site whose original site orientation is maintained.

### Group III – Cultural

1. A building or site that has served at a major, city-wide scale as a focus of activity, a gathering spot, or other specific point of reference in the urban fabric of the city.
2. A building or site by its location is broadly known or recognized throughout the city.

### FINDINGS

The proposed nomination of the DuPRE MANUFACTURING COMPANY MILL meets the above-referenced criteria, as well as the minimum criteria, for a Landmark Building or Site as set out in Section 16-20.004 of the Code of Ordinances of the City of Atlanta.

### REFERENCES

American Excelsior Company, internet at [www.amerexcel.com/about\\_us\\_history.php](http://www.amerexcel.com/about_us_history.php).

*Atlanta City Directories*, 1898-1965. Directories are located at the Atlanta History Center – both original and on microfilm.

*Atlanta Constitution*, obituaries for Frank F. DuPre (July 1, 1913, p. 2) and Walter E. DuPre, Sr. (June 4, 1951, p. 6).

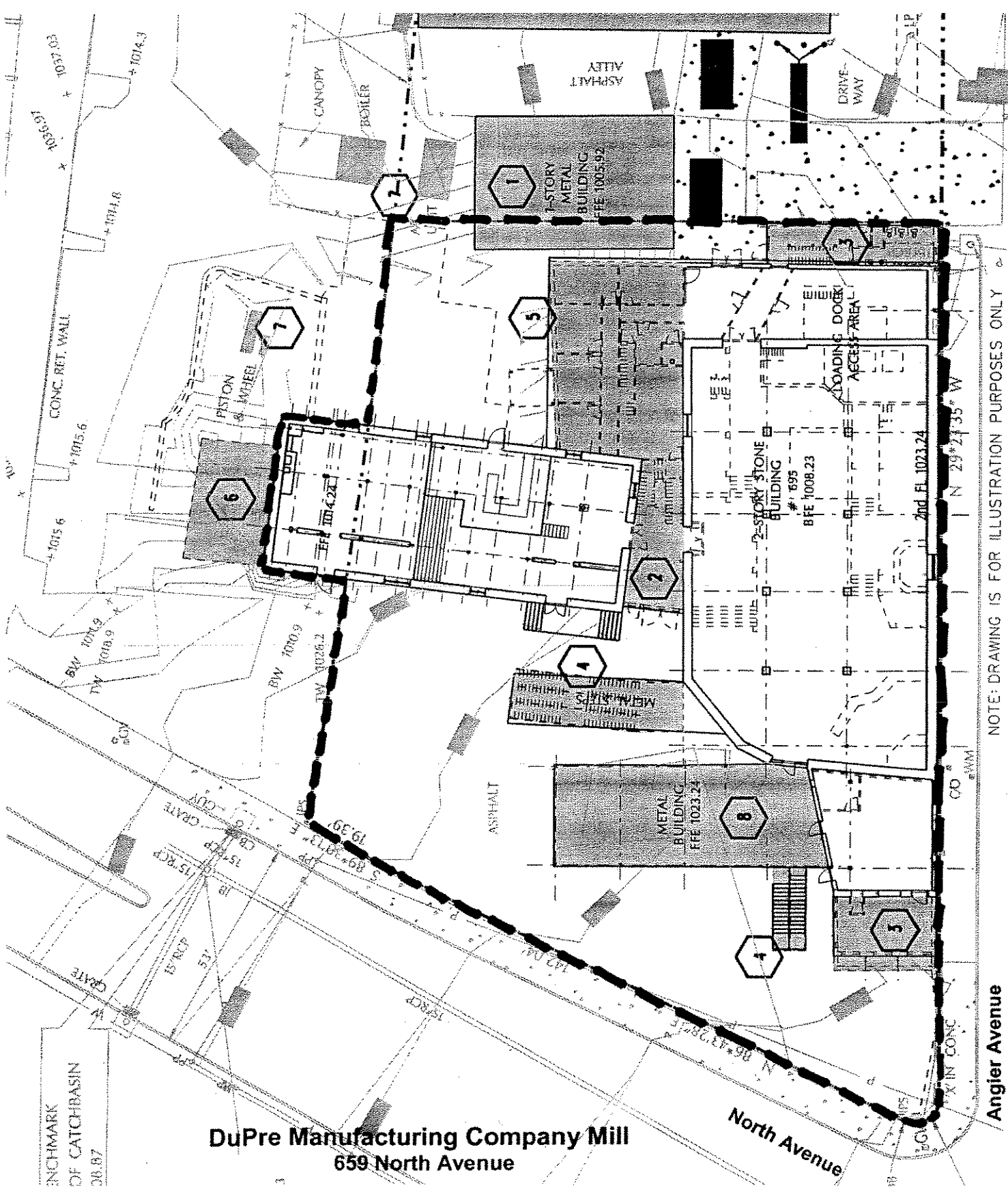
*Atlanta Journal*, obituary for Frank F. DuPre.

DuPre, Walter E. III, family papers and photographs.

DuPre, Walter E. III, interview with Marion Ellis, March 20, 2005.

Garrett, Franklin, Garrett's Necrology, death records on microfilm, at the Atlanta History Center.

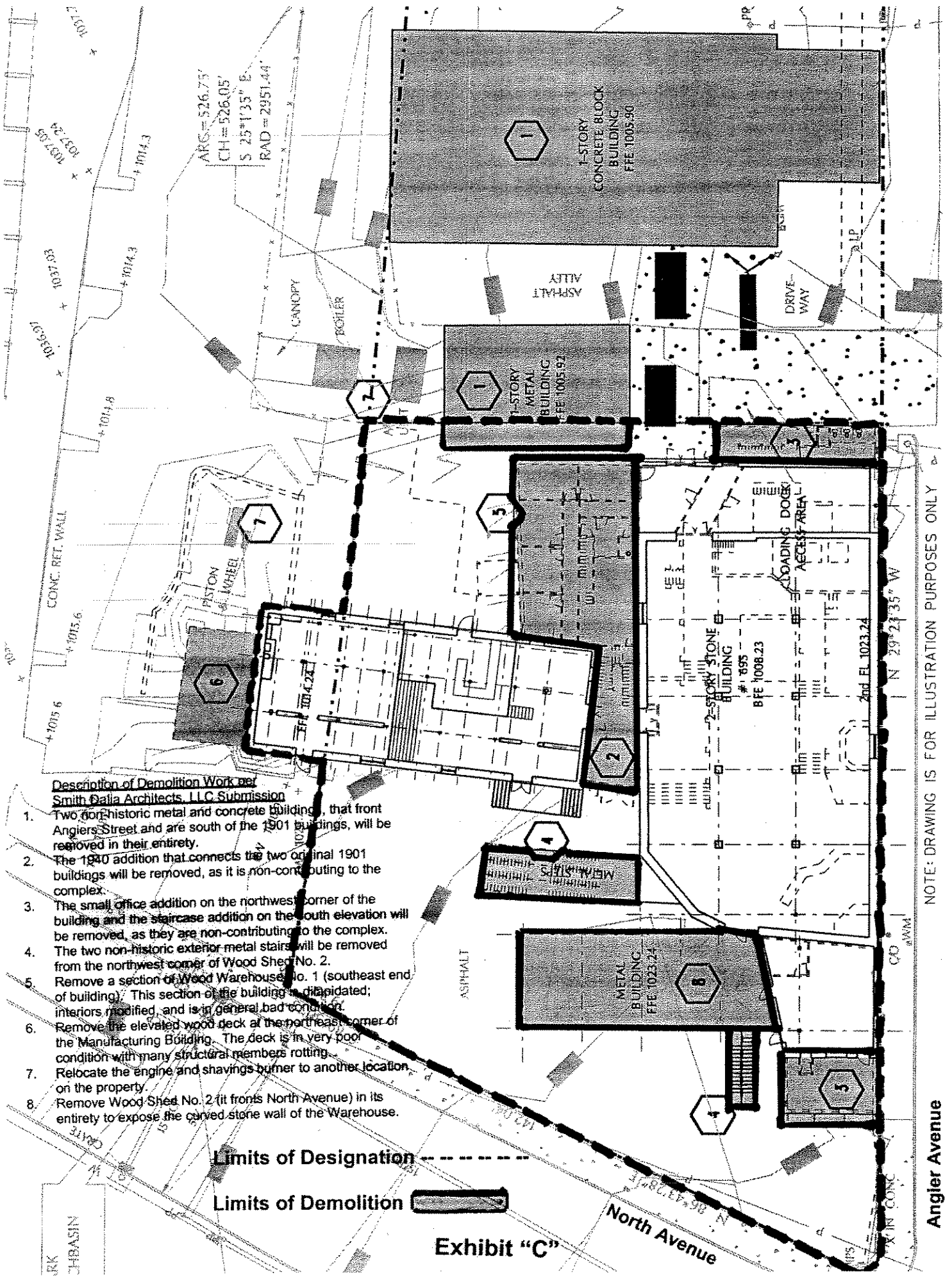
Sanborn Fire Insurance Maps, 1911, 1911 updated to 1925, 1932, 1932 updated to 1950, 1932 updated to 1965. Originals (1911 updated to 1925, and 1932 updated to 1965) and microfilm copies are on file at the Atlanta History Center.



**DuPre Manufacturing Company Mill**  
**659 North Avenue**

Limits of Designation - - - - -

**Exhibit "B"**



NOTE: DRAWING IS FOR ILLUSTRATION PURPOSES ONLY

Angler Avenue

**Description of Demolition Work per Smith Dalia Architects, LLC Submission**

- Two non-historic metal and concrete buildings, that front Anglers Street and are south of the 1901 buildings, will be removed in their entirety.
- The 1940 addition that connects the two original 1901 buildings will be removed, as it is non-contributing to the complex.
- The small office addition on the northwest corner of the building and the staircase addition on the south elevation will be removed, as they are non-contributing to the complex.
- The two non-historic exterior metal stairs will be removed from the northwest corner of Wood Shed No. 2.
- Remove a section of Wood Warehouse No. 1 (southeast end of building). This section of the building is dilapidated; interiors modified, and is in general bad condition.
- Remove the elevated wood deck at the northeast corner of the Manufacturing Building. The deck is in very poor condition with many structural members rotting.
- Relocate the engine and shavings burner to another location on the property.
- Remove Wood Shed No. 2 (it fronts North Avenue) in its entirety to expose the curved stone wall of the Warehouse.

Limits of Designation

Limits of Demolition



Exhibit "C"

North Avenue

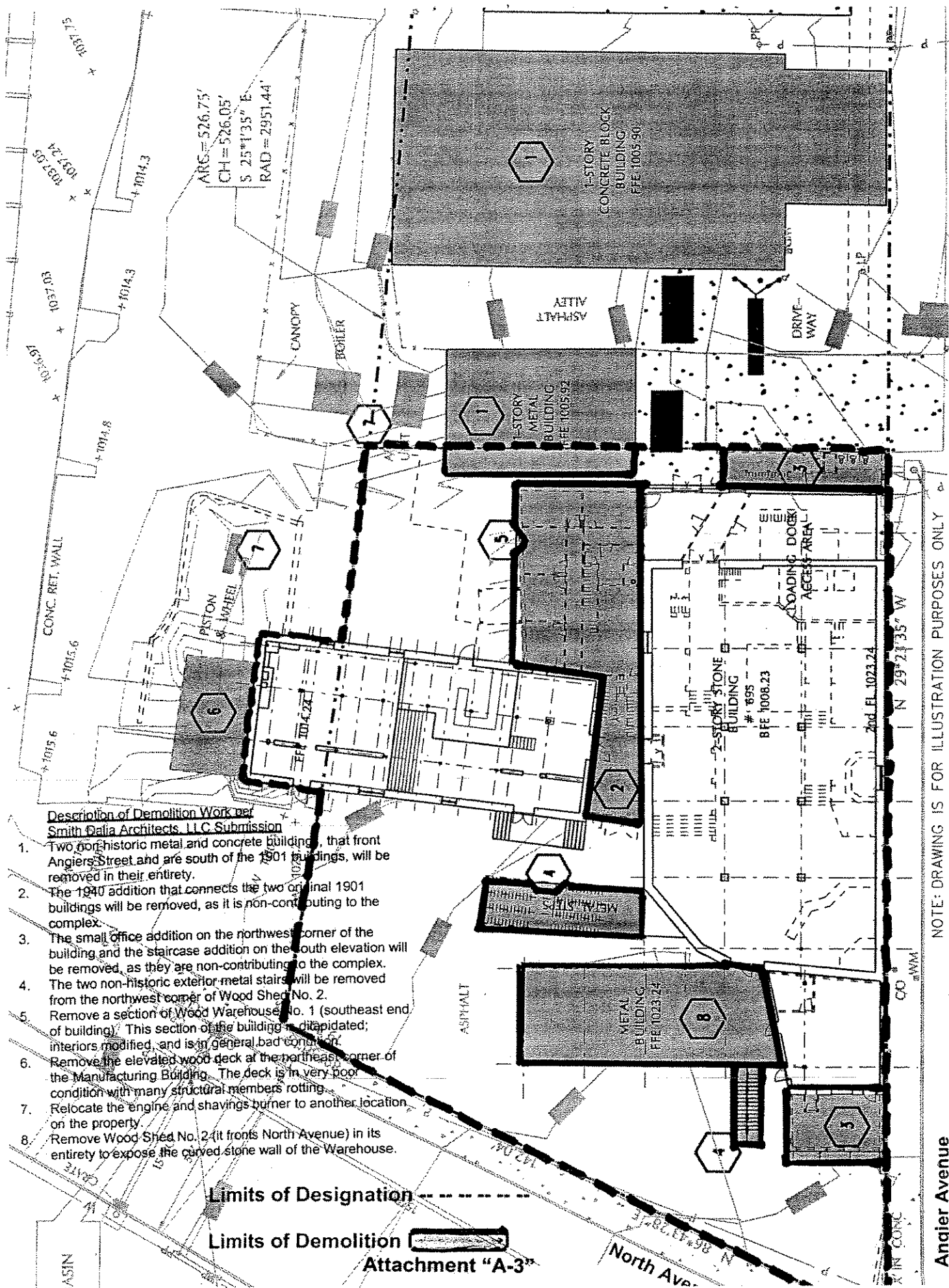
## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 18 of the 14<sup>th</sup> District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at an "x" in the concrete on the northeasterly right-of-way line of North Angier Avenue (50-foot right-of-way), said point being the southerly end of a right-of-way arc connecting said right-of-way line with the southerly right-of-way line of North Avenue (variable right-of-way); thence following said right-of-way arc a distance of 10.13 feet to a point on said right-of-way line of North Avenue (said arc has a radius of 5.00 feet, a chord of 8.48 feet and a chord bearing of N28°26'02"E); thence along said right-of-way line of North Avenue N86°43'28"E a distance of 142.04 feet to a point; thence S89°30'13"E a distance of 19.39 feet to an iron pin; thence leave said right-of-way line and following a counterclockwise curve having a radius of 2951.44 feet, an arc distance of 60.29 feet to a point (said arc has a chord of 60.29 feet and a chord bearing of S20°49'56"E); thence N67°31'07"E a distance of 20.56 feet to a point; thence S22°56'04"E a distance of 38.09 feet to a point; thence S67°31'07"W a distance of 21.32 feet to a point; thence following a counterclockwise curve having a radius of 2951.44 feet, an arc distance of 51.78 feet to a point (said arc has a chord of 51.78 feet and a chord bearing of S22°39'34"E); thence S61°14'51"W a distance of 131.45 feet to a point on the aforementioned right-of-way line of North Angier Avenue; thence along said right-of-way line N29°23'35"W a distance of 215.00 feet to an "x" in the concrete and THE POINT OF BEGINNING.

This tract or parcel contains 0.631 acre of land.





**Description of Demolition Work per  
Smith Dalia Architects, LLC Submission**

1. Two non-historic metal and concrete buildings, that front Angiers Street and are south of the 1901 buildings, will be removed in their entirety.
2. The 1940 addition that connects the two original 1901 buildings will be removed, as it is non-contributing to the complex.
3. The small office addition on the northwest corner of the building and the staircase addition on the south elevation will be removed, as they are non-contributing to the complex.
4. The two non-historic exterior metal stairs will be removed from the northwest corner of Wood Shed No. 2.
5. Remove a section of Wood Warehouse No. 1 (southeast end of building). This section of the building is dilapidated; interiors modified, and is in general bad condition.
6. Remove the elevated wood deck at the northeast corner of the Manufacturing Building. The deck is in very poor condition with many structural members rotting.
7. Relocate the engine and shavings burner to another location on the property.
8. Remove Wood Shed No. 2 (it fronts North Avenue) in its entirety to expose the curved stone wall of the Warehouse.

**Limits of Designation**

**Limits of Demolition**

**Attachment "A-3"**

NOTE: DRAWING IS FOR ILLUSTRATION PURPOSES ONLY

Angier Avenue



RCS# 286  
6/05/06  
4:10 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1069 1070 1071 1072 1073 1074 1075  
06-O-1076 1190 1191 1203 TO ZRB & ZONING  
REFER

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 1  
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
NV Winslow	Y Muller	Y Sheperd	E Borders

MULTIPLE